

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 16, 1963
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by REV. BOB CLEMENTS, Skyview Baptist Church.

MAYOR PALMER stated the Council had sent a Proclamation to the people of Japan by REV. BOB CLEMENTS and that he was here with a friend of his to deliver a letter from the Mayor of Kagoshima City, Japan. REV. CLEMENTS stated the Baptist New Missionary Movement began in March; 150 preachers and singers, and 300 laymen went from Texas to Japan, the Philippine Islands, Korea, China, Hong Kong and other places in that area. The results were phenomenal; 22,000 people in Japan, besides in the other locations, responded to the invitation to accept Christ. He introduced a Japanese student who read the letter from the Mayor of Kagoshima stating "It is my great privilege to send this letter to the citizens of Austin. I appreciate the friendship made by the Austin citizens as presented by Mr. Bob Clements, and through the Christian Campaign. This kind of recognition across the Pacific Ocean will bring about international friendship, and this sort of thing will grow bigger and bigger as time passes on. The peace of this world will be brought, however, not by weapons but by this kind of activity. We appreciate your activity, and the friendship of you in Austin and Kagoshima City will grow deeper and deeper." REV. CLEMENTS presented to the Fire Chief a badge from the Fire Chief of Kagoshima City.

The Council greeted and welcomed MRS. GEOGE FRANCISCO and MR. BOB WILLIAMS.

Councilman White moved that the Minutes of the Meeting of May 9, 1963, be approved. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes None
Present but not voting: Councilman Long

Mayor Palmer brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 22.52 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE S. Q. WHATLEY SURVEY, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.
(Windsor Park Hills, Section 4)

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF THREE TRACTS WHICH COMPRISE 16.934 ACRES OF LAND, OUT OF AND A PART OF THE WILLIAM CANNON LEAGUE AND THE T. J. CHAMBERS GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE. (Northwest Hills Sec. 5, Phase 2; Ridge Oak Park; Deer Park Annex)

The ordinance was read the second time and Councilman White moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Shanks introduced the following ordinance and moved that it be published in accordance with Article 1, Section 6 of the Charter of the City of Austin:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 9.10 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. A. G. BROOKS SURVEY NUMBER 28, THE WILLIAM WILKS SURVEY NUMBER 29, AND THE PATRICK LUSK SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
 Noes: None

The ordinance was read the first time and Councilman Shanks moved that the ordinance be passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
 Noes: None

The City Manager submitted the following:

"May 14, 1963

"To: W. T. Williams, Jr., City Manager Subject: Assessment Paving Number
 63-A-4

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, May 14, 1963 for the construction of pavement consisting of 17 units, known as Assessment Paving Contract Number 63-A-4.

Pat Canon Exc. Co.	\$89,546.40
J. W. Steelman Inc.	\$89,765.20
Lee Maners	\$90,117.36
Bowden Associates Inc.	\$91,097.60
Werneburg Const. Co.	\$91,788.51
Abilene Paving Co., Inc.	\$99,605.80
City's Estimate	\$91,195.66

"I recommend that Pat Canon Exc. Co. with their low bid of \$89,546.40 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
 Director of Public Works"

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 14, 1963, for the construction of pavement consisting of 17 units, known as Assessment Paving Contract Number 63-A-4; and

WHEREAS, the bid of Pat Canon Exc. Co., in the sum of \$89,546.40, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Pat Canon Exc. Co., in the sum of \$89,546.40, be and the

same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Pat Canion Exc. Co.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council: therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in DANIEL DRIVE, from Dawson Road easterly 84 feet, the centerline of which gas main shall be 7.5 feet south of and parallel to the north property line of said DANIEL DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (2) A gas main in DAWSON ROAD, from Daniel Drive northerly 38.5 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said DAWSON ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (3) A gas main in DENSON DRIVE, from Chesterfield Avenue easterly 582.5 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said DENSON DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (4) A gas main in GASTON PLACE DRIVE, from Briarcliff Boulevard easterly 1,220 feet, the centerline of which gas main shall be 5.5 feet south of and parallel to the north property line of said GASTON PLACE DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (5) A gas main in INTERREGIONAL HIGHWAY, from a point 41 feet south of Oltorf Street southerly 1,290.5 feet, the centerline of which gas main shall be 13 feet east of and parallel to the west property line of said INTERREGIONAL HIGHWAY.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

- (6) A gas main in TILLERY STREET, from a point 168 feet north of E. 19th Street northerly 75 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said TILLERY STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Shanks offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an easement ten (10.00) feet in width was granted to the City of Austin for public utility purposes, in, upon and across a part of Lot 14A of a resubdivision of Lots 1 and 14 & 15, Block Q, Royal Oak Estates, Section 2, said Royal Oak Estates, Section 2 being a subdivision of a portion of the Thomas

Eldridge Survey Number 26, in the City of Austin, Travis County, Texas, according to a map or plat of said Royal Oak Estates, Section 2 of record in Book 12 at page 27 of the Plat Records of Travis County, Texas; a map or plat of said resubdivision of Lots 1 and 14 & 15, Block Q, Royal Oak Estates, Section 2, being of record in Book 13 at page 83 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of said property have requested the City Council of the City of Austin to release said public utility easement; and,

WHEREAS, the City Council has determined that the hereinafter described public utility easement is not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described public utility easement, to-wit:

A strip of land ten (10.00) feet in width, same being out of and a part of Lot 14A, of a resubdivision of Lots 1, and 14 & 15, Block Q, Royal Oak Estates, Section 2, said Royal Oak Estates, Section 2 being a subdivision of a portion of the Thomas Eldridge Survey Number 26, in the City of Austin, Travis County, Texas, according to a map or plat of said Royal Oak Estates, Section 2, of record in Book 12 at page 27 of the Plat Records of Travis County, Texas, a map or plat of said resubdivision of Lots 1 and 14 & 15, Block Q, Royal Oak Estates, Section 2, being of record in Book 13 at page 83 of the Plat Records of Travis County, Texas; said strip of land ten (10.00) feet in width being more particularly described as follows:

BEGINNING at a point in the west line of Lot 14A in said Resubdivision of Lots 1 and 14 & 15, Block Q, Royal Oak Estates, Section 2, same being the east line of Coventry Lane and from which point of beginning the southwest corner of said Lot 14A bears S 01° 10' W 15.00 feet;

THENCE, S 88° 50' E 84.38 feet to point of termination in the east line of a ten (10.00) foot public utility easement provided on said map or plat of said Royal Oak Estates, Section 2.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH NASH PHILLIPS - COPUS FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF

AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN
EMERGENCY.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER
INTO A CERTAIN CONTRACT WITH BARTON TERRACE, INCOR-
PORATED FOR THE APPROPRIATION OF MONEY PAID TO THE
CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING
AN EMERGENCY.

The ordinance was read the first time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman Shanks moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman Shanks moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

COUNCILMAN LONG stated she had a matter to be brought up at this time, but she did not know whether or not the Council was ready to act upon it. She proposed that the Council rescind the fee that is paid for picking up brush, since this is a fee that is a deterrent to the beauty of Austin, is a fee which is not good, and one she felt the people of Austin would like to get rid of as they feel it is unfair. Councilman Shanks asked if she had studied this fee sufficiently to determine what sections of town had been affected mostly by this, etc. Councilman Long stated it affected the whole city and that she had complaints from people all over the different sections of town, and this was the kind of tax she wanted to get rid of. Councilman LaRue inquired as to how much money was involved. The City Manager stated it involved a great deal more than the fee being discussed, and said the City had been attempting to encourage the people to cut the brush into small lengths so that the regular garbage pick-up could handle it. If that is done, there is no extra charge. As a result of the charge, there are many people cutting the brush into small pieces, so that it could be picked up in the regular collection. As a result the amount of hauling has been reduced to about a fourth of what it was before. There are still some requests for brush pick-ups; but there is now only one man and one truck being used where there used to be four or five. Councilman Shanks asked if Councilman Long were talking about the garbage tax. She stated that although it was a horrible tax she was not proposing that it be rescinded; because she knew when a tax like that were put on, it was almost impossible to remove it. Councilman Long said it was bad, and she thought it should be done away with. The Mayor asked that the figures be brought down again as to what it was costing the City, the map presented showing where the pick-ups were, and that the City Manager be requested to have this material ready by next Thursday. Councilman Long asked that along with this, that the City Manager check on the bookkeeping costs also. She noted the reasons there were not as many requests was because people could hire a truck for less than the City could haul the brush for them. The Mayor asked the City Manager to bring in all of the information on costs, locations, and the many other things which the Council had reviewed at the time this fee was established. Councilman White said he would certainly check this himself, as he was a party to it. He said there was one thing he did not like and that was when someone had their own pick up truck and made their own hauls, the City charged them to dump the brush. The Mayor stated there was only a fifty cent charge for covering. Councilman Long said she also was opposed to this dumping fee, and that was a part of her proposal--that this charge be done away with. The City Manager stated problems were many at the fills. There used to be a number of fires caused by individuals dumping at random, but now the situations are controlled much better and hazards are eliminated. Councilman White reported that debris was scattered all over the County Dump on the old Manor Road. The City Manager said the people hauling would not know where to put the loads, and they would get scattered and blown. MRS. LEON DONN suggested if any research were to be done on any phase of the garbage tax, she would like for the Council to look into the health hazards as a result of this charge, and said she understood there was an increase in the number of rats that exist in the alleys of the City. The City Manager stated the charge could have nothing to do with such a hazard as the pick up is made whether the people pay for it or not. Mrs. Donn stated the people either did not want to pay the brush fee or they just dumped the brush somewhere else where they would not have to pay for it. The City Manager said he thought she was referring to the garbage pick up. The City Attorney said mention had been made several times of this being a "tax" and explained there was a time the garbage and brush pick up were paid by tax money, and an individual's garbage

was hauled off at the same price as a big hotel's garbage was hauled. He explained that the Council had taken this service out of the tax angle and made a charge in keeping with the quantity of garbage, and that this was a charge and not a tax. The Mayor stated the discussion was about the brush pick up and asked that the City Manager have all of the information ready by next Thursday, and the Council would look into it again.

Councilman Long said her second proposition was that a study be made for a summer water rate beginning in June and extending through August. She had noticed a newspaper article about the possibility of running out of water; and since millions of dollars had been spent to bring about an abundance of water through the City, there may or may not be a shortage. She proposed a 10% rate decrease during the summer, stating the amount of revenue would be the same as it had been proven before. The Mayor stated this was a complex matter and there were certain economics that came into the picture, and it would be necessary to have all the information available as to what the costs would be. He asked for a breakdown between the people with water bills of \$5.00 a month, those with \$10.00 a month, on up to \$20.00 a month to see just where this 10% would come in and who would benefit by it, and where the costs of the City would be and how much the costs would be to the City. He asked that this information be brought in. Councilman Shanks inquired if Austin did not have the lowest water rate. The Mayor stated it did--that when the City gets up to what is normally thought of summer water rates, the City has the lowest rate of nearly any city in the State. The Mayor asked if this information could also be brought in. Councilman Long stated the thing the City Manager was worried about was the increased usage of water and whether or not the City had the capacity to furnish that much water, and possibly during peak hours during the hot summer the City might run a little lower than it would like to; but it had never run out of water yet or had to ration it. The City Manager stated water had never been rationed here, but there had been shortages of water, and people used to come before the Council complaining about low pressures. At present, Water Treatment Plant No. 2 is being enlarged, and the capacity will be doubled from that of last summer; but the plants are barely keeping abreast of the growth of the City, and the volume of water with the number of customers is as the volume of demand increases just as more facilities are provided. There is a limit as to what the City could sell; and although millions had been spent on the systems, there was still a limit on the capacity, and the capacity is still about in the same proportion to the population as it was before the City began these expenditures. There had been occasions when people had been asked to limit the use of water. He stated a water system was not a very profitable enterprise; and in order to provide for the peaks in the summer, it is necessary to build a system which is only used a month or two at its full capacity. The capacity is designed to take care of 70 to 80 million gallons a day; but during the winter months, only 20 million gallons are sold daily. From a load factor point of view there is not much in the way of sales in relation to the capability of the system if the City could sell all year round. Councilman Long asked that a report be brought in, in the very near future.

Regarding the agenda items, Councilman LaRue asked that the City Manager, for the time being at least, furnish a background on each of the items, for example the policy of releasing the easements. The City Manager reviewed the

policy in detail stating the easements were dedicated generally as a part of the plat; and after the utilities were installed, a determination could be made whether or not any particular easement was in use or would be needed in the future. When a request for vacating an easement came in, the City has a regular procedure by which each Department studies the location and gives the release clearance before the matter comes before the Council.

Councilman Long asked that the City Manager furnish the Council, particularly the new members, with an up-to-date financial statement.

The City Manager called attention to the filing of the Monthly Progress Report of the Electric Utility with each Council member.

The City Manager announced bids had been advertised on two projects, and the specifications for each project are on the table in the next room, and would remain there through the period of advertisement. The two projects are as follows:

1. A lift station in connection with the Sewage Disposal Plant for Williamson Creek.
2. A clarifier for the Govalle Sewage Treatment Plant.

The City Manager showed plans for the Williamson Creek Sewage Plant. The Mayor noted that the cost of the sites and ponds was less than the cost of pipe that would be required to pipe the sewage down to the Plant. The City Manager stated in the development of the Williamson Creek Sewer line, larger pipe would have to be used; and when a certain point was reached, if the old conventional type of plant had been located in that area, the pipe down to this plant would have cost as much money as that paid for the whole tract of land. He stated some land smaller than this tract had been acquired recently to serve the same purpose near the mouth of Walnut Creek, immediately adjacent to Webberville Road between the two railroad tracks.

The Assistant City Manager stated the Confederate Home for Men was having an open house and would have a display of crafts and activities done by the people. The activities are conducted by a Volunteer group. He submitted the request that permission be granted to hang a banner across Lake Austin Boulevard at the entrance of the Confederate Home, and that the installation fee be waived. The Assistant City Manager said there was no problem with erecting the banner, but the question concerned the installation fee. After discussion, Councilman Shanks moved that the request for waiving the fee be denied, but the request for erecting the banner be granted under the standard policy. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the Council had been invited to ride in the Parade which the Sheriffs' Posse was having at 2:00 P.M., beginning in front of the Municipal Auditorium.

The City Manager reviewed the negotiations to acquire the Barnhart tract of land in the Walnut Creek area needed in connection with the Sewage Disposal Plant, and stated the Council had authorized condemnation since no agreement could be reached on the price. Since that time, the owner had offered to settle with the City for a little less than he had first asked. The Mayor suggested that the Council drive out there again for an on-site inspection before a decision were made.

The City Manager stated inquiry had been made to MR. J. E. MOTHERAL about acquisition of his land on Balcones Drive, or acquisition of a part of it, and that Mr. Motheral had offered the land at a price which would not be recommended by him. The City Manager said it was not known how much land would be needed, but there was too much difference in what the City thought the present value was and what Mr. Motheral wanted. The City Attorney said this property would be for the Missouri Pacific Boulevard; and if the entire tract could be purchased at a justifiable price, it would be preferable to buy the entire tract. Even though the land might enhance in value, it is doubtful that it would enhance sufficiently rapid to justify going in and purchasing the entire parcel now. He said Mr. Motheral could be told that the City would just have to wait for a decision. The Mayor asked that the City Manager review the Missouri Pacific Boulevard Preliminary Plan at 2:00 P.M. this afternoon.

Councilman Shanks inquired about the status of the Covenant Church property. The City Attorney made a report in that the Church wanted MR. HAROLD LEGGE to appraise the value of both the Church property and the City property, and that the City would share in the cost of the appraisal. He said the City's appraisers felt that the City property was worth more than the Church property, but the Church wanted to get another appraisal.

The City Manager brought up for consideration the Urban Renewal Plan for the Kealing Project. Councilman Long stated after she had made a personal study of this project, she believed the questions raised could be solved even though the plan were adopted. Councilman LaRue expressed his concern over the closing of the street, stating if he were going to live there he would want it closed. As to the hardship cases, it was his belief that there had been enough time to plan this project, and if it were not rushed into, the hardship cases could be prevented. The City Manager stated the only hardship cases discussed at the hearing were not physical or financial hardship, as much as sentimentality. He stated in hardship cases, the City was required to work those out in minute detail before the plan is put into operation. The physical part had to be worked out as a part of the plan. Discussion was held on the closing of Angelina Street or realigning it if it were left open; the advantages to individuals when their properties were acquired for public purposes under the Urban Renewal than when acquired under the usual procedures; the continuation of use of property for residential purposes by deed restrictions when the plan is adopted; and on particular individual hardship cases, some of which might be handled through the Board of Adjustment. Mayor Palmer noted from the discussion that it seemed perhaps the greatest hardship on these people would be delay which was causing them concern and anxiety. He said the little details could be worked out even after the plan

had been adopted. The Mayor read a petition signed by over 30 owner-occupants in the clearance section, requesting that the Council proceed to carry out the improvements proposed in the Kealing Plan, and noting that they were in the clearance section and that no one would be affected more than they, but they realized the needs of the community and were willing to do what they could to improve the neighborhood. Councilman White stated had asked for a report on the amount of money the City had spent on this Urban Renewal and the amount it had received from the Government. The City Manager stated the project began in 1957, and some expenditures were necessary due to the contest of the Urban Renewal Election. From 1957 through December 31, 1962, the Federal Government spent \$99,933 on Planning and Survey Work and Appraisals for the Urban Renewal Project, and the City had spent \$54,187 up to December 31st. Councilman White asked that he be furnished with a copy of the report. The City Manager stated when the project went into "loan and grant" the Federal Government would advance to the City the cost of the whole project from then on; and when the work was completed, there would be a balancing of the account and the City would take one-third of the cost and the Government would take two-thirds. He explained the items included which would be credited to the City (Lands already purchased, utilities which have been installed, and the paving, etc). Mayor Palmer inquired about the next step after the Council approved the plan and went into the "loan and grant" stage. The Director of Urban Renewal said it would take a month and a half to make application for loan and grant. He said a method of moving ahead with the conservation area had been worked out with the F. H. A. Normal improvements on housing are not being held up; however, it will be necessary to wait for government approval of any acquisition of land. The Mayor stated Councilman LaRue wanted to investigate more about Angelina Street, and said the Plan could be adopted and these details worked out. The City Attorney explained there were specific statutory procedures established for making changes in the Plan once it was adopted. Finally, after more discussion, Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
AUSTIN, TEXAS, APPROVING THE URBAN RENEWAL PLAN
AND THE FEASIBILITY OF RELOCATION FOR PROJECT NO.
TEXAS R-20

WHEREAS, under the provisions of Title I of the Housing Act of 1949, as amended, the Housing and Home Finance Administrator is authorized to provide financial assistance to Local Public Agencies for undertaking and carrying out urban renewal projects; and,

WHEREAS, it is provided in such act that contracts for financial aid thereunder shall require that the Urban Renewal Plan for the respective project area be approved by the Governing Body of the locality in which the project is situated and that such approval include findings by the Governing Body that: (1) The financial aid to be provided in the contract is necessary to enable the project to be undertaken in accordance with the Urban Renewal Plan; (2) The Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; (3) The Urban Renewal Plan conforms to the general plan for the development of the locality as a whole; and (4) The Urban Renewal Plan gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with

special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan; and,

WHEREAS, the Urban Renewal Agency of the City of Austin, herein called the "Local Public Agency", has entered into a planning contract for financial assistance under such Act with the United States of America, acting by and through the Housing and Home Finance Administrator, pursuant to which federal funds were provided for the Urban Renewal Project, hereinafter called the "Project", identified as Kealing Project, Tex R-20, and encompassing the area bounded by East 12th Street on the north, Rosewood Avenue on the south, Chicon Street on the east, and a line 175 feet west of Angelina Street on the west in the City of Austin, Texas; and

WHEREAS, the Local Public Agency has made detailed studies of the location, physical condition of structures, land use, environmental influences, and social, cultural, and economic conditions of the project area and has determined that the area is a blighted area and that it is detrimental and a menace to the safety, health, and welfare of the inhabitants and users thereof and of the locality at large, because of the existence of dilapidated structures therein, and the members of this Governing Body have been fully apprised by the Local Public Agency and are aware of these facts and conditions; and

WHEREAS, there has been prepared and referred to the City Council of the City of Austin for review and approval an Urban Renewal Plan for the project area consisting of 16 pages and four exhibits supported by a resolution of the Local Public Agency recommending such plan to this Governing Body; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the locality as a whole; and

WHEREAS, said Urban Renewal Plan for the project area prescribed certain land uses for the project area and will require, among other things, changes in zoning, the vacating and removal of streets, alleys and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities; and

WHEREAS, the Local Public Agency has prepared and submitted a program for the relocation of families that may be displaced as a result of carrying out the Project in accordance with said Urban Renewal Plan; and

WHEREAS, there has also been presented to the Governing Body information and data respecting the relocation program which has been prepared by the Local Public Agency as a result of studies, surveys, and inspections in the project area and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections; and

WHEREAS, the members of the Governing Body have general knowledge of the conditions prevailing in the project area and of the availability of proper housing in the locality for the relocation of families that may be displaced from the project area and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS, on the 6th day of May, 1963, this Governing Body held a public hearing in accordance with the applicable law wherein the citizens of this locality were invited to and did discuss and make recommendations regarding such Urban Renewal Plan for the project area; and

WHEREAS, it is necessary that the governing body take appropriate official action respecting the relocation program and said Urban Renewal Plan for the project, in conformity with the contract for financial assistance between the Local Public Agency and the United States of America, acting by and through the Housing and Home Finance Administrator; and

WHEREAS, the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

1. That it is hereby found and determined that the project is a blighted area and qualified as an eligible project area under Article 12691-3 of the Revised Civil Statutes of Texas.
2. That said Urban Renewal Plan for the project aforementioned, having been duly reviewed and considered, is hereby approved, and the City Clerk is hereby directed to file such copy of said Urban Renewal Plan with the minutes of this meeting.
3. That it is hereby found and determined that said Urban Renewal Plan for the project area conforms to said general plan of the locality.
4. That it is hereby found and determined that the financial aid provided and to be provided pursuant to said contract for federal financial assistance pertaining to the project is necessary to enable the project to be undertaken in accordance with the Urban Renewal Plan for the project area.
5. That it is hereby found and determined that the above mentioned Urban Renewal Plan for the urban renewal area will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the urban renewal of such areas by private enterprise.
6. That it is hereby found and determined that the Urban Renewal Plan for the urban renewal area gives due consideration to the provision of adequate park and recreational areas and facilities, that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the plan.
7. That it is hereby found and determined that the program for the proper relocation of the families displaced in carrying out the project in decent, safe, and sanitary dwellings in conformity with the acceptable standards is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the project; and that such dwellings or dwelling units available or to be made available to such displaced families are at least equal in number to the number of displaced families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced families in the project area, are available at rents or prices within the financial means of the displaced families, and are reasonably accessible to their places of employment.
8. That in order to implement and facilitate the effectuation of the Urban Renewal Plan hereby approved it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes

in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out such Urban Renewal Plan; (b) requests the various officials, departments, boards, and agencies of the City of Austin having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with said Urban Renewal Plan; and (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate said Urban Renewal Plan.

9. That additional financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, is necessary to enable the land in the project area to be renewed in accordance with the Urban Renewal Plan for the project area, and, accordingly, the filing by the Local Public Agency of an application or applications for such financial assistance under said Title I is hereby approved.

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer
Noes: Councilman White

Urban Renewal Plan adopted and directed to be filed with the Minutes of this meeting, is as follows:

URBAN RENEWAL PLAN
KEALING PROJECT
AUSTIN, TEXAS
FEBRUARY 5, 1963

I. OUTLINE OF URBAN RENEWAL PLAN

A. Description of Urban Renewal Area

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 - a. Boundary of Redevelopment Section
 - b. Boundary of Conservation Section
2. Types of Proposed Renewal Action
 - a. Clearance and Redevelopment
 - b. Conservation
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 - (1) City of Austin
 - (2) Austin Independent School District
 - (3) Southern Union Gas Company
 - (4) Southwestern Bell Telephone Company

B. Land Use Plan

1. Land Use Map, Exhibit II
 - a. Thoroughfare and Street Right-of-way
 - b. Other Public and Institutional Uses
 - c. Other Lane Uses
2. Land Use Provisions and Building Requirements
 - a. Permitted Land Uses
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 - (a) First Height and Area
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- (2) Offstreet Parking
 - (3) Deed Restrictions
 - d. Duration of Regulations
 - e. Applicability of Regulations
- C. Project Renewal Proposals
- 1. Land Acquisition
 - a. Property to be Acquired, Exhibit III
 - b. Properties Conditionally Subject to Acquisition
 - c. Properties Conditionally Exempt from Acquisition
 - 2. Rehabilitation and Conservation Standards, Exhibit IV
 - 3. Redevelopers' Obligations
- D. State and Local Requirements
- E. Changes in Approved Plan
- F. Exhibits

II. URBAN RENEWAL PLAN

A. Description of Urban Renewal Area

The project area, which consists of approximately 69 acres is located in the eastern part of the city. It is about one mile northeast of the central business district. The boundary of the entire urban renewal area is shown graphically on Exhibit I by a heavy dash line.

A line of heavy dots denotes the boundary of area "R" which is the Redevelopment Section that will be redeveloped for public and private purposes.

Area "C" is the Conservation Section in which rehabilitation, conservation, and incidental clearance and redevelopment activities are proposed.

1. Boundaries of Urban Renewal Area, Exhibit I

BEGINNING at the intersection of the North right-of-way line of East 12th Street and the East right-of-way line of Chicon Street;

THENCE, Westerly, along the North right-of-way line of East 12th Street, 1,925 feet, more or less, to point for corner;

THENCE, Southerly, 175 feet, more or less, West of and parallel to the West right-of-way line of Angelina Street, 1,564 feet, more or less, to point for corner in the South right-of-way line of Rosewood Avenue;

THENCE, Easterly, 1,990 feet, more or less, along the South right-of-way line of Rosewood Avenue, to its intersection with the most Easterly right-of-way line of Chicon Street;

THENCE, Northwesterly, 85 feet, more or less, to the intersection of the North right-of-way line of Rosewood Avenue and the East right-of-way line of Chicon Street;

THENCE, Northerly, along the East right-of-way line of Chicon Street, 1,506 feet, more or less, to the place of beginning and containing 69.0 acres of land, more or less.

a. Boundaries of Redevelopment Section

BEGINNING at the intersection of the South right-of-way line of Rosewood Avenue and the most Easterly right-of-way line of Chicon Street

THENCE, Northwesterly 85 feet, more or less, to the intersection of the North right-of-way line of Rosewood Avenue and the East right-of-way line of Chicon Street;

THENCE, Northerly, along the East right-of-way line of Chicon Street, 552 feet, more or less, to point for corner;

THENCE, Westerly, parallel to and 154 feet, more or less, South of the South right-of-way line of Pennsylvania Avenue, 373 feet, more or less, to point for corner in the West right-of-way line of Salina Street;

THENCE, Northerly, along the West right-of-way line of Salina Street, 154 feet, more or less, to its intersection with the South right-of-way line of Pennsylvania Avenue;

THENCE, Westerly, along the South right-of-way line of Pennsylvania Avenue, 698 feet, more or less, to point for corner;

THENCE, Northerly, parallel to and 175 feet, more or less, East of the East right-of-way line of Comal Street, 220 feet, more or less, to point for corner;

THENCE, Westerly, parallel to and 170 feet, more or less, North of the North right-of-way line of Pennsylvania Avenue, 53 feet, more or less, to point for corner;

THENCE, Northerly, parallel to and 122 feet, more or less, East of the East right-of-way line of Comal Street, 154 feet, more or less, to point for corner in the South right-of-way line of New York Avenue;

THENCE, Westerly, along the South right-of-way line of New York Avenue, 182 feet, more or less, to point for corner in the West right-of-way line of Comal Street;

THENCE, Northerly, along the West right-of-way line of Comal Street, 50 feet, more or less, to point for corner;

THENCE, Westerly, parallel to and 107 feet, more or less, North of the North right-of-way line of Cotton Street, 69 feet, more or less, to a point for corner;

THENCE, Southerly, parallel to and 69 feet, more or less, West of the West right-of-way line of Comal Street, 187 feet, more or less, to point for corner in the South right-of-way line of Cotton Street;

THENCE, Westerly, along the South right-of-way line of Cotton Street to point for corner in the East right-of-way line of Angelina Street;

THENCE, Southerly, along the East right-of-way line of Angelina Street, 936 feet, more or less, to point for corner in the South right-of-way line of Rosewood Avenue;

THENCE, Easterly, along the South right-of-way line of Rosewood Avenue, 1,737 feet, more or less, to point of beginning and containing 30 acres of land, more or less.

b. Boundaries of Conservation Section

BEGINNING at a point on the East right-of-way line of Chicon Street, 154 feet, more or less, South of the South right-of-way line of Pennsylvania Avenue.

THENCE, Westerly, parallel to and 154 feet South of the South right-of-way line of Pennsylvania Avenue, 373 feet, more or less, to point for corner in the West right-of-way line of Salina Street;

THENCE, Northerly, along the West right-of-way line of Salina Street, 154 feet, more or less, to its intersection with the South right-of-way line of Pennsylvania Avenue;

THENCE, Westerly, along the south right-of-way line of Pennsylvania Avenue, 698 feet, more or less, to point for corner;

THENCE, Northerly, parallel to and 175 feet, more or less, East of the East right-of-way line of Comal Street 220 feet, more or less, to point for corner;

THENCE, Westerly, parallel to and 170 feet, more or less, North of the North right-of-way line of Pennsylvania Avenue, 53 feet, more or less, to point for corner;

THENCE, Northerly, parallel to and 122 feet, more or less, East of the East right-of-way line of Comal Street, 154 feet, more or less, to point for corner in the South right-of-way line of New York Avenue;

THENCE, Westerly, along the South right-of-way line of New York Avenue, 182 feet, more or less, to point for corner in the West right-of-way line of Comal Street;

THENCE, Northerly, along the West right-of-way line of Comal Street, 50 feet, more or less, to point for corner;

THENCE, Westerly, parallel to and 107 feet, more or less, North of the North right-of-way line of Cotton Street, 69 feet, more or less, to point for corner;

THENCE, Southerly, parallel to and 69 feet, more or less, West of the West right-of-way line of Comal Street, 187 feet, more or less, to point for corner in the south right-of-way line of Cotton Street;

THENCE, Westerly, along the South right-of-way line of Cotton Street to point for corner in the East right-of-way line of Angelina Street;

THENCE, Southerly, along the East right-of-way line of Angelina Street, 936 feet, more or less, to point for corner in the South right-of-way line of Rosewood Avenue;

THENCE, Westerly, along the South right-of-way line of Rosewood Avenue, 255 feet, more or less, to point for corner;

THENCE, Northerly, parallel to and 175 feet, more or less, West of the West right-of-way line of Angelina Street, 1,564 feet, more or less, to point for corner in the North right-of-way line of East 12th Street;

THENCE, Easterly, along the North right-of-way line of East 12th Street, 1,925 feet, more or less, to its intersection with the East right-of-way line of Chicon Street;

THENCE, Southerly, along the East right-of-way line of Chicon Street, 1,128 feet, more or less, to the place of beginning and containing 39 acres of land, more or less.

2. Types of Proposed Renewal Action

Kealing is a combination project involving conservation and clearance and redevelopment.

a. Clearance and Redevelopment

Clearance and redevelopment activities will be confined primarily to area "R" shown on Exhibit I. Spot clearance and redevelopment will occur in area "C" shown on Exhibit I.

All properties in area "R", except those owned by the Austin Independent School System, the Austin Public Library, and the Rosewood Avenue Baptist Church, will be purchased for public and private reuse.

Public reuse will include expansion of school facilities and provision of recreational facilities. Private reuse will include apartment units.

Streets and alleys will be vacated as shown on Exhibit III.

b. Conservation

Rehabilitation activities in the Conservation Section involve leaving all standard properties unaffected except where such standard property is in conflict with the improvement proposals of the Plan. All substandard properties within the Conservation Section must be eliminated or improved to at least the Rehabilitation Standards set forth in C 2 of this Plan.

c. Public Improvements

(1) City of Austin

The City of Austin will provide park-playground facilities adequate to serve the area. In addition, it will provide for the following improvements:

Street pavement with curb and gutter
Sidewalks
Storm and sanitary sewers
Electrical and water services

(2) Austin Independent School District

The Austin Independent School District has already provided, during the planning stage, land acquisition and improvements for Kealing Junior High School. During the development stage it will provide additional school facilities.

(3) Southern Union Gas Company

Southern Union Gas Company will remove, relocate and provide service lines as needed to serve the urban renewal area.

(4) Southwestern Bell Telephone Company

Southwestern Bell Telephone Company will remove, relocate and provide lines and poles as needed to serve the urban renewal area.

B. Land Use Plan

1. Land Use Map, Exhibit II, showing:

a. Thoroughfare and Street Right-of-Way

b. Other Public and Institutional Uses

- (1) Schools
- (2) Park-playground
- (3) Library
- (4) Easements

c. Other Land Uses

- "A" Residential
- "B" Residential
- "GR" General Retail

2. Land Use Provisions and Building Requirements

a. Permitted Land Uses

"A" Residential:

In "A" Residential District no building or land shall be used and no building hereafter shall be erected or structurally altered, unless otherwise provided in this Plan, except for one or more of the following uses:

- (1) One-family and two-family dwellings
- (2) Churches
- (3) Free public schools
- (4) Accessory uses:
 - (a) Customary home occupation, such as sewing, architecture, law, real estate, insurance, accounting, when engaged in by members of the resident family and not employing any person not a member of the resident family, but not including beauty culture, barbering or appliance repairing.
 - (b) The renting of rooms or lodgings, or the serving of meals for compensation to not more than four (4) persons in a single-family dwelling or two (2) persons to each family in a two-family dwelling, and only when under the control of the permitted family unit. In a one-family dwelling, only one set of utility meters is permitted and in a two-family dwelling, only two sets of utility meters are permitted.
 - (c) A detached private garage or an attached private garage, in a compartment as a part of the main building, having a capacity of not more than four (4) vehicles, if the area of the lot upon which the same is located shall contain not less than two-thousand (2000) square feet for each vehicle space provided. Not more than one of such vehicles shall be a commercial vehicle.
 - (d) A fence, hedge or enclosure wall, provided:
 - (1) A solid fence or enclosure wall shall not exceed an average height of six (6) feet, and shall in no event exceed seven (7) feet in height.
 - (2) An ornamental fence exceeding six (6) feet in height shall have a ratio of solid portion to open portion not in excess of one (1) to four (4).

- (3) Any fence, hedge or enclosure wall on a corner lot, and situated within fifteen (15) feet of the intersection of the two street lines, shall not exceed a height of three (3) feet.

(e) Signs:

- (1) Name Plates: Not to exceed two (2) square feet in area as an accessory use to a lot or building on which placed and bearing one (1) name plate for each family housed, which name plate may state the occupation of each occupant.
- (2) Lease or Sale: Signs pertaining to the lease or sale of a lot or building upon which placed and not exceeding a total area of twenty-four (24) square feet.
- (3) Temporary: (a) A temporary sign to be displayed during construction and in connection with construction operations; (b) A temporary sign not exceeding sixty-four (64) square feet pertaining to the sale of an addition, subdivision of a lot for a period not to exceed two (2) years.

(f) A public or semi-Public non-commercial Parking Area

"B" Residential:

In "B" Residential District no building or land shall be used and no building hereafter shall be erected or structurally altered, unless otherwise provided in this Plan, except for one or more of the following uses:

- (1) Any use permitted in "A" Residential District
- (2) Apartment houses, apartment hotels (non-transient type).
- (3) Apartment Dwelling Group, provided:
 - (a) The site is not less than one (1) acre.
 - (b) Each residential building contains four (4) or more dwelling units. Such units to conform to the area requirements of the district in which they are located.
 - (c) The development is designed as one unit and connected by common water and sanitary sewer systems.
 - (d) All necessary easements for utilities or drainage-ways on the site are furnished.
 - (e) All easements in areas adjoining the site of a proposed Apartment Dwelling Group necessary to serve such development with utilities or provide adequate drainage are acquired.
- (4) Boarding and lodging houses.
- (5) Dormitories, fraternity houses, sorority houses, and club houses of which the primary use is for everyday living accommodations for members thereof, or as meeting places for organizations officially recognized by a college or university.

- (6) Fraternal and service organizations.
- (7) Private Club, subject to the following conditions:
 - (a) The site shall contain an area of not less than one (1) acre.
 - (b) The club building shall be located not closer than sixty (60) feet to the front property line; provided, however, that where the site is across the street from property located in a "GR" General Retail or less restrictive district the club building may be located not less than twenty-five (25) feet from the front property line.
 - (c) The club building shall be located not closer than sixty (60) feet to the side or rear property lines; provided, however, that where the side or rear property line of such site is adjacent to or across an alley or across a street from property located in "GR" General Retail or less restrictive district the club building may be located not closer than twenty (20) feet to such side or rear property lines, except along a side street a setback of twenty-five (25) feet shall be provided.
 - (d) On the same site there may be provided an attached one-family residence for the custodian or club manager.
- (8) Clinic, subject to the following conditions:
 - (a) The site shall contain an area of not less than one (1) acre.
 - (b) The principal building shall be located not closer than sixty (60) feet to the front property line; provided, however, that when the site is located across the street from property located in a "GR" General Retail District or less restrictive district the principal building may be located not closer than twenty-five (25) feet from the front property line.
 - (c) The principal building shall be located not closer than fifty (50) feet to the side or rear property lines, provided, however, that where the side or rear property line of such site is located adjacent to or across an alley or across a street from property located in a "GR" General Retail District or less restrictive district the principal building may be located not closer than twenty (20) feet from such side or rear property lines for the extent of such adjacent less restrictive district.
- (9) Convalescent or Nursing Home, Children's Home, Maternity Home, or Home for the Aged, subject to the following conditions:
 - (a) The site shall contain a minimum area of twelve thousand (12,000) square feet for the care of one to twelve patients, and additional space at the rate of one thousand (1,000) square feet for each patient

in excess of twelve; but no site shall be required to have an area of more than twenty thousand (20,000) square feet.

- (b) The use shall not be for the care of the insane nor for the care of liquor or narcotics patients, nor for animals, nor for any correctional purposes.

"GR" General Retail

In "GR" General Retail District no building or land shall be used and no building hereafter shall be erected or structurally altered, unless otherwise provided in this Plan, except for one or more of the uses enumerated herein. "GR" General Retail District is designed for offices and retail businesses of general character. Wholesale establishments are not to be located in this District. Permitted uses are enumerated as follows:

- (1) Accessory building customarily incident to the permitted uses. No accessory use shall be construed to permit the keeping of articles or materials in the open or on the outside of the building.
- (2) An office for the conduct of the following professional and semi-professional occupations: architect, engineer, surveyor, lawyer, personal or family counselor, public secretary, insurance agent, accountant, real estate agent, dentist, physician, surgeon, physical therapist, barber, cosmetologist, hairdresser, or manicurist:
- (3) Aquarium, bird and pet shop.
- (4) Bakery.
- (5) Bank, office, wholesale sales office, sample room.
- (6) Barber shop, beauty shop, and any other personal service shop.
- (7) Cafe, cafeteria, and restaurant in a building.
- (8) Camera Shop and photographic supplies.
- (9) Catering and wedding service.
- (10) Certain other retail uses, subject to the following conditions:
 - (a) That it be conducted wholly within an enclosed building.
 - (b) That required yards not be used for display, sale or storage of vehicles, equipment, containers, or waste material.
 - (c) That all merchandise be first hand and sold at retail on the premises.
 - (d) That there be no manufacturing or processing except that which is incidental and essential to an enterprise in which all merchandise is sold at retail on the premises.
 - (e) That such use be not objectional because of odor, excessive light, smoke, dust, noise, vibration, presence of vermin or rodents, or similar nuisance.
- (11) Clubs and fraternal organizations.
- (12) Commercial parking garage, or other automobile facility for parking of passenger cars and trucks of less than one-ton capacity only, where the rental of space is on an hourly, daily, weekly, or monthly basis.

- (13) Community buildings; art galleries; religious, philanthropic, educational or charity institutions.
- (14) Craft and hobby shop, fix-it shop, bicycle repairs, saw filing, lawn mower sharpening; but without outside garage.
- (15) Dental and medical clinics, children's homes, convalescent homes, maternity homes, and homes for the aged.
- (16) Department store; sporting goods, novelty, or toy shop.
- (17) Drug store, soda fountain, soft drink stand, candy and tobacco shop.
- (18) Electrical goods.
- (19) Film developing and printing.
- (20) Frozen food lockers.
- (21) Funeral home.
- (22) Furniture repairs and upholstering, with all storage and display within a building.
- (23) Gasoline service station.
- (24) Gift, glass, china, fabric, art object including antiques, or retail florist shop.
- (25) Grocery store.
- (26) Hardware, paints, wall paper.
- (27) Headquarters for business, trade, professional, or industrial organizations.
- (28) Hotel, motel.
- (29) Household and office furniture, furnishings and appliances.
- (30) Ice vending station.
- (31) Jewelry and optical goods.
- (32) Letter and mimeograph shop.
- (33) Meat market.
- (34) Motion picture theater.
- (35) Nursery and greenhouse.
- (36) Office building.
- (37) Piano and musical instruments.
- (38) Pick-up station for receiving and delivering of articles to be dyed or laundered, but no actual work to be done on the premises.
- (39) Plumbing shop, without warehouse facilities (to include storage for ordinary repairs but not storage of materials for contracting work).
- (40) Prescription pharmacy, dental or medical laboratory.
- (41) Private schools teaching the same subjects as public elementary and high schools.
- (42) Rental library, book, stationery, stamp or coin collector's shop.
- (43) Seamstress, dressmaker, or tailor shop.
- (44) Seed store.
- (45) Shoe repair shop.
- (46) Signs:
 - (a) No permanent sign shall be permitted except that pertaining to the occupancy of the building; and
 - (b) All permanent signs shall be placed flatwise against the building and no sign of a flashing or intermittently lighted type shall be erected. No exposed neon or similar type lights shall be used.
- (47) Skating rink or bowling alley, when air conditioned and designed to reduce external noise to a minimum at the property line.

- (48) Studio; art, dance, drama, music, photographic, interior decorating, reducing.
- (49) Variety store.
- (50) Washateria, or self-service laundry, equipped with automatic washing machines, dryers, and ironers of the type customarily found in a home, and where the customer may personally supervise the handling of his laundry.
- (51) Wearing apparel shop.
- (52) General provisions.
 - (a) All uses permitted herein shall store all materials within a building; sales or display of merchandise shall be conducted within a building, or in an open space other than the required front, rear or side yard areas providing such open space is enclosed on all sides by a solid fence or wall six (6) feet high.
 - (b) Whenever property in a "GR" General Retail District adjoins property in a "B" Residential District or more restrictive district, upon use of the property in the "GR" General Retail for a use not permitted in a "B" Residential or more restrictive district, there shall be provided for the extend of the common boundary a solid wall or fence six (6) feet in height.

b. Non-conforming Land Uses

The use of land that has a standard structure existing at the time of adoption of this Plan, although such use does not conform to the provisions hereof, may be continued but if such non-conforming use is discontinued, any future use of said land shall be in conformity with the provisions of this Plan.

c. Additional Land Use Regulations

(1) Height and Area Designation

Height and area classifications regulate the height, number of stories and size of buildings and other structures, the percentage of a lot that may be occupied, the size of yards, the density of population and the location of buildings and structures for trade industry, residences and other purposes. Unless otherwise provided in this Plan, all structures and properties shall conform to the following:

(a) First Height and Area
Residential Buildings

Yards

- Setback from front street: twenty-five (25) feet.
- Setback from side street: fifteen (15) feet
- Minimum side yard: fifteen (15) feet total, including five (5) feet minimum on one side.
- Minimum rear yard: five (5) feet.

--Maximum coverage: fifty-five (55%) percent of the total area of the lot behind the front setback line.

Lot Area

--One-family residential building in any Use District:

One-family dwelling: five-thousand, seven-hundred and fifty (5,750) square feet for an interior lot or six-thousand, nine-hundred (6,900) square feet for a corner lot.

(b) Second Height and Area

Residential Buildings

Yards

--Same as First Height and Area

Lot Area

--One-family dwelling in any Use District five-thousand, seven-hundred and fifty (5,750) square feet for an interior lot or six-thousand, nine-hundred (6,900) square feet for a corner lot.

--Multi-family dwelling but not including apartment hotels, hotels, or motels - "GR" and More Restricted Districts:

Minimum lot size: eight-thousand, five-hundred (8,500) square feet with a minimum of fifteen-hundred (1,500) square feet per dwelling unit.

--Apartment Hotel, Hotel, Motel in "B" Residential - "GR" General Retail:

Minimum size lot: twelve-thousand (12,000) square feet. With a minimum area of seven-hundred and fifty (750) square feet per unit.

Height

No building shall exceed thirty-five (35) feet in height. However, no height restriction shall apply to public buildings.

(2) Offstreet Parking

Adequate parking spaces in each case shall be the number necessary to park the maximum number of vehicles which will probably be used by employees, customers, and residents of such structures, taking into account the loading facilities on the site, the public parking areas and street space available for parking in the vicinity, public safety, and free circulation of traffic both on and off the site.

For each structure in the following uses or any like use, offstreet parking spaces shall be as follows:

<u>USE</u>	<u>SPACE/UNIT</u>
Detached dwellings	1/dwelling unit
Apartment houses and apartment hotels	1/dwelling unit
Warehouses, fabrication plants, public utility buildings, etc.	1/1000 sq.ft. gross floor area
Boarding and lodging facilities, hotels, motels, etc.	1/four employees and 1/bedroom
Convalescent homes, orphanages, homes for aged, etc.	1/four employees and 1/four beds and 1/staff doctor
Restaurants	1/four seats
Places of assembly such as private clubs, community halls, churches, etc.	1/400 sq.ft. gross floor area
Personal service shops, retail stores, banks, etc.	1/200 sq.ft. gross floor area
Office buildings, clinics, etc.	1/300 sq.ft. gross floor area

(3) Deed Restrictions

All land within Kealing Project sold to private redevelopers shall be subject to the following Conditions, Restrictions, Covenants, and Uses, if applicable and appropriate.

These provisions are hereby declared to be Conditions, Restrictions, Uses and Covenants running with the land, and shall be fully binding on all persons acquiring property in Kealing Project whether by descent, devise, purchase or otherwise; and every persons by the acceptance of title to any lot of this Project shall thereby agree to abide by and fully perform the following Conditions, Restrictions, Covenants, and Uses which shall be binding until January 1, 1994.

Said Conditions, Restrictions, Covenants, and Uses may be amended during the month of January, 1994, by three-fourths majority vote of the then property owners in Kealing Project. However, if no amendment occurs, the Conditions, Restrictions, Covenants, and Uses shall be automatically extended for successive periods of ten (10) years; at the end of each ten (10) year period the Conditions, Restrictions, Covenants, and Uses may be amended during the month of January by a three-fourths

majority vote of the then property owners in Kealing Project. Each owner shall have one vote; however, joint owners shall have only one vote between them.

The development and use of land shall conform to all applicable laws, codes, ordinances and regulations which relate to the utilization of land. The Urban Renewal Agency shall review and approve all site and building plans.

No lot or building or part thereof shall ever be restricted in the sale, lease or occupancy thereof because of race, color, creed, or national origin.

Each dwelling unit shall be of double wall construction and contain not less than one bedroom, one three piece bathroom, a kitchen with sink, and at least one other habitable room. Exterior wall covering shall be of a generally accepted material other than wood, asphalt or tin; however, exterior trim may be of wood.

The ground floor area of any single-family detached structure shall not be less than 650 square feet. The floor area shall not be less than 500 square feet for an attached dwelling unit.

No buildings, incinerators, pavement, or any other structure or improvement shall be built or maintained within the area of the easements.

No obnoxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become any annoyance or nuisance to the neighborhood.

No hotel, motel or other transient type housing nor trailer houses shall be erected or established upon any property covered by these Restrictions.

No building constructed as a dwelling shall be located nearer than twenty-five (25) feet from the front property line. No dwelling shall be located nearer than five (5) feet to any side lot line. No fence shall be erected nearer than twenty-five (25) feet from the front property line.

Easements are reserved as shown on Exhibit II. A five (5) foot easement for utility installation and maintenance is reserved at the rear of each platted residential lot, whether or not such easement is shown on Exhibit II.

No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.

If any person or persons shall violate or attempt to violate any of said Conditions, Restrictions, Covenants, and Uses it shall be lawful for any person or persons owning any of said lots to prosecute at law or in equity against the person or persons violating or attempting such violation to prevent him or them from doing so or to recover damages for such violations.

Invalidation of any one or any part of these Conditions, Restrictions, Covenants, or Uses by judgment or court order shall in no way affect any of the other which shall remain in full force and effect.

d. Duration of Regulations

These Regulations shall become effective immediately upon recording of same in the Court House of Travis County, Texas.

Land Use Provisions and Building Requirements shall remain effective for thirty years.

e. Applicability of Regulations

The regulations and controls set forth herein are an integral part of the Urban Renewal Plan and, in addition to applicable portions of City Austin zoning, building, housing, and other codes and ordinances shall apply to all land, all buildings and developments within the project area.

The Urban Renewal Agency of the City of Austin shall review and approve site and building plans, including provisions for offstreet parking and offstreet loading for each development in the project area.

The Urban Renewal Agency reserves the right to purchase, at fair market value, any property that at any time does not conform to the requirements and objectives of the Urban Renewal Plan, including property that is permitted to deteriorate.

C. Project Renewal Proposals

1. Land Acquisition

a. Property to be acquired, Exhibit III

Exhibit III shows properties to be acquired for clearance and redevelopment, including spot clearance, and development of vacant land.

It is not proposed that properties to be acquired for rehabilitation purposes; however, substandard properties are conditionally subject to acquisition for rehabilitation, or clearance and redevelopment purposes.

b. Properties Conditionally Subject to Acquisition

All substandard properties in the Conservation Section may be subject to acquisition if the owners thereof do not contract with the Agency agreeing to rehabilitate the properties to the Minimum Property Standards within a reasonable time, not to exceed three (3) years, and otherwise meet the requirements of the Urban Renewal Plan.

c. Properties Conditionally Exempt from Acquisition

All dilapidated properties in the Conservation Section may be exempt from acquisition if the owners thereof comply with the requirements of the Urban Renewal Plan.

2. Rehabilitation and Conservation Standards, Exhibit IV

The Minimum Property Standards set forth the minimum rehabilitation requirements for urban renewal purposes. See Exhibit IV.

3. Redevelopers' Obligations

Each redeveloper of land in the project area will be obligated, by means of appropriate covenants running with the land, to devote the land to the uses specified in the Urban Renewal Plan for the period of the plan, to begin and complete the construction of the improvements thereon within a reasonable time to be specified by the Urban Renewal Agency of the City of Austin, and to not prohibit the sale, lease or occupancy of land purchased in the project because of race, color, creed or national origin. The contract with each redeveloper of land shall include prohibition against land speculation.

Anyone rehabilitating or redeveloping property in the project area shall keep all buildings, improvements, equipment, machinery and walkways constructed, erected, installed or located in the project area in good and safe condition, structurally and otherwise.

D. State and Local Requirements

The elements of the Urban Renewal Plan satisfy all pertinent requirements of state and local laws.

E. Changes in Approved Plan

The Urban Renewal Plan may be modified at any time by the Urban Renewal Agency of the City of Austin provided, if modified after the lease or sale of real property in the project area, modification must be agreed to by the redeveloper or redevelopers of such real property, or his successor or successors in interest, affected by the modification.

Substantial changes in the Urban Renewal Plan, as approved by the City Council of the City of Austin, must be approved by the City

Council, after notice and public hearing in compliance with the requirements of the Texas Urban Renewal Law.

F. Exhibits

Exhibit I, Boundary Map showing:

Boundary of Urban Renewal Area
Boundary of Redevelopment Section
Boundary of Conservation Section

Exhibit II, Land Use Map showing:

Thoroughfare and Street Right-of-Way

Schools

Park-playground

Library

Easements

"A" Residential

"B" Residential

"GR" General Retail

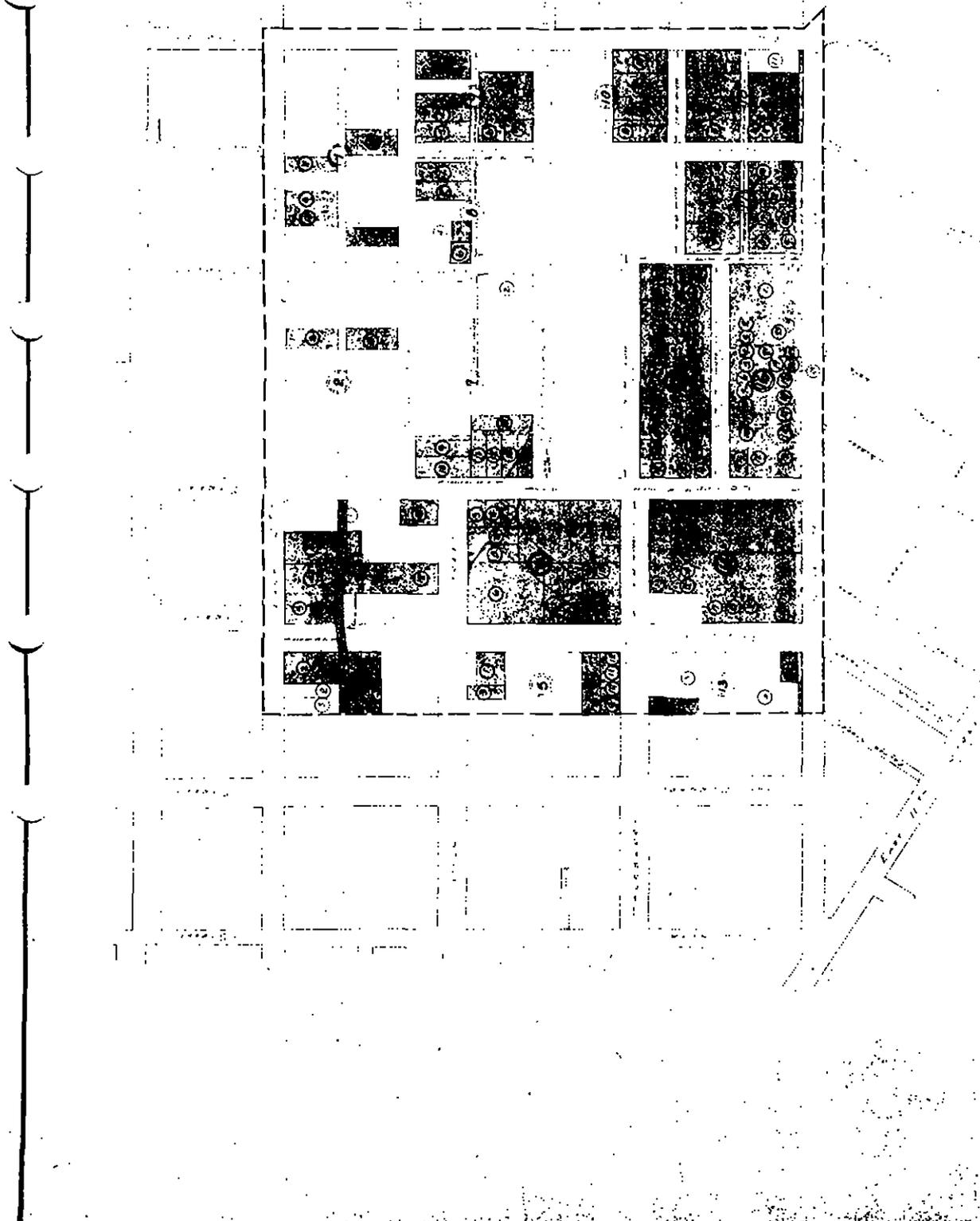
First Height and Area

Second Height and Area

Exhibit III, Clearance and Redevelopment Land Acquisition Map showing:

Properties to be acquired for clearance and redevelopment, including spot clearance, and development of vacant land.

Exhibit IV, Minimum Property Standards



 PROPERTIES TO BE ACQUIRED FOR CLEARANCE AND REDEVELOPMENT, INCLUDING SPOT CLEARANCE AND DEVELOPMENT OF VACANT LAND.

 RIGHT OF WAY TO BE VACATED

EXHIBIT III

KEALING PROJECT
 THOMAS JEFFERSON HEIGHTS
 URBAN RENEWAL AGENCY
 OF THE CITY OF AUSTIN



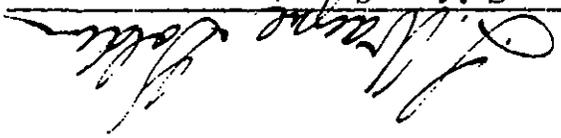
URBAN RENEWAL PROJECT
 THOMAS JEFFERSON HEIGHTS
 URBAN RENEWAL AGENCY
 OF THE CITY OF AUSTIN

URBAN RENEWAL PROJECT NO. 1 TEX R-20

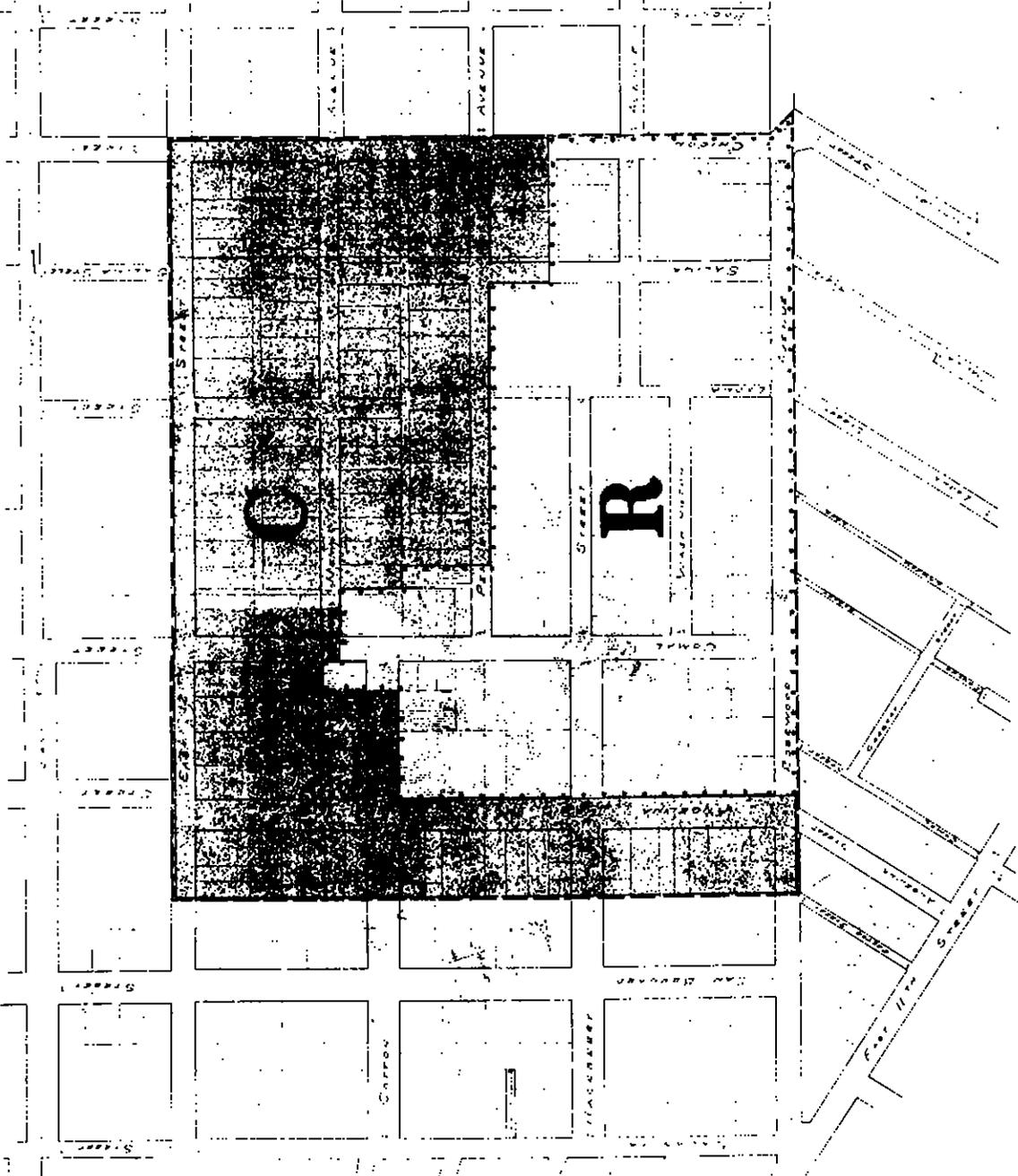
REVISIONS

NO.	DATE	DESCRIPTION
1	1/15/63	PREPARED BY LIZARD
2	1/22/63	COMPLETION DATE 1/22/63

This is a true and correct copy of the Plan for Kealing Project, Tex. R-20, adopted at a meeting of the Urban Renewal Agency of the City of Austin held on the 2nd day of April, 1963.



L. Wayne Golden, Secretary



L E G E N D
 ——— PROJECT BOUNDARIES
 DEVELOPMENT SECTION
 [Hatched Box] CONSERVATION SECTION

EXHIBIT

URBAN RENEWAL PROJECT
KEALING PROJECT
 THOMAS JEFFERSON HEIGHTS
 URBAN RENEWAL AGENCY
 OF THE CITY OF AUSTIN

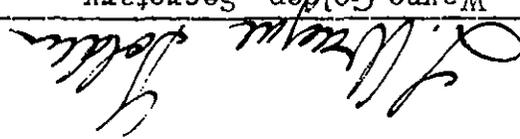
BOUNDARY MAP



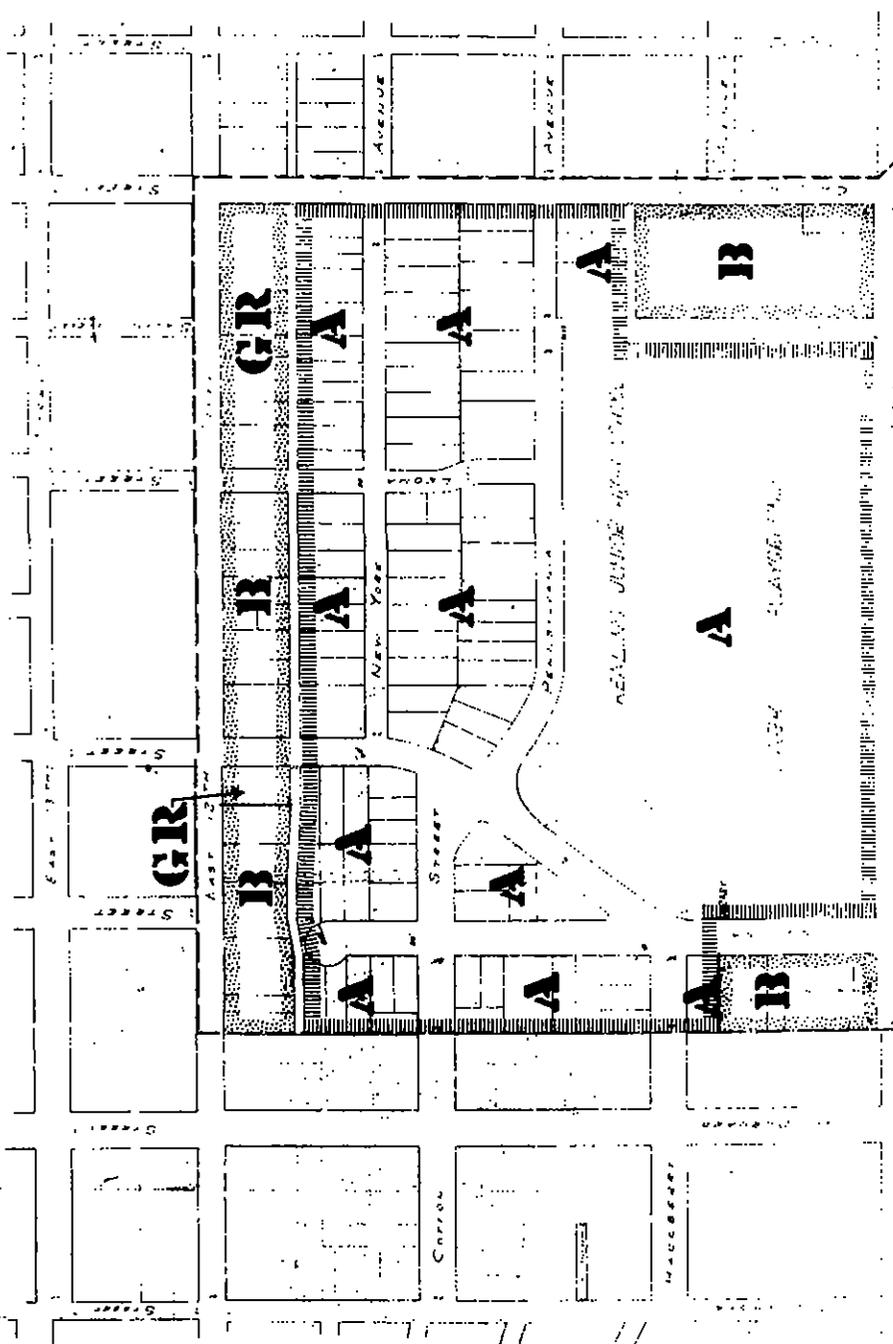
URBAN RENEWAL PROJECT
PROJECT NO. 1 TEX R-20

REVISIONS	COMPLETION DATE
AUSTIN, TRAVIS PREPARED BY	MARCH 1, 1963
COUNTY, TEXAS	MARCH 1, 1963

This is a true and correct copy of the Plan for Kealing Project, Tex. R-20, adopted at a meeting of the Urban Renewal Agency of the City of Austin held on the 2nd day of April, 1963.



L. Wayne Golden, Secretary



LEGEND

- A** A - RESIDENTIAL
- B** B - RESIDENTIAL
- GR** GR - GENERAL RETAIL
- EASEMENT
- LAND USE DIVISION LINE
- 1ST HEIGHT Y AREA DISTRICT
- 2ND HEIGHT Y AREA DISTRICT

EXHIBIT II

LAND USE MAP

GRAPHIC SCALE 1" = 60' N 25

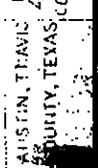
URBAN RENEWAL PROJECT HEIGHTS
 KEALING JEFFERSON
 THOMAS URBAN RENEWAL AGENCY
 OF THE CITY OF AUSTIN

URBAN RENEWAL PROJECT NO. 1 TEX R-20

PREPARED BY
 THOMAS LARRY GIVYLE

COMPLETION DATE
 MARCH 2, 1963

REVISIONS



This is a true and correct copy of the Plan for Kealing Project, Tex. R-20, adopted at a meeting of the Urban Renewal Agency of the City of Austin held on the 2nd day of April, 1963.

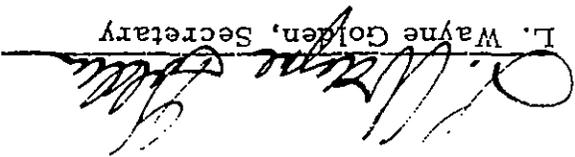

L. Wayne Golden, Secretary

Exhibit IV

MINIMUM PROPERTY STANDARDS

for

REHABILITATION

of

Existing Residential Structures Located within Kealing Urban Renewal Project

EXHIBIT IV

URBAN RENEWAL AGENCY
City of Austin, Texas

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INTRODUCTORY STATEMENT

PURPOSE AND INTENT

These Minimum Property Standards for Rehabilitation have been developed to provide a basis for the minimum design and construction standards of the Urban Renewal Agency of the City of Austin, Texas, for the rehabilitation of houses located in Kealing Project in Austin, Texas.

The standards for rehabilitation are directed toward neighborhood improvement and the overcoming of deterioration and blight. The aim is the creation of neighborhoods that compare well in design and construction with standard neighborhoods. The objectives are the physical, social and economic regeneration of neighborhoods which have, in general, deteriorated seriously.

Throughout these standards there are provisions that are necessary and represent the minimum level of housing which is essential for health, safety and decent living. Items of this kind are expressed in the language of "shall" and "must". Also, there are statements which are advisory or guides to what constitutes minimum good practice. Items of this kind are expressed as "may," "should," etc.

These Minimum Property Standards are also intended to be used as a guide by the Urban Renewal Agency to determine standard properties in Kealing Project.

APPLICATION

These Minimum Property Standards apply to all existing residential properties in Kealing Project.

CHAPTER I

DEFINITIONSGENERAL

Abbreviations, terms, phrases, and words and their derivatives used in these Minimum Property Standards shall have the meanings given in this section.

The terms defined herein apply for Urban Renewal purposes and may differ in some respects from definitions in building or other codes.

DEFINITIONS

Accessory Building: A secondary building, the use of which is incidental to that of the main building and which is located on the same lot.

Addition: Any construction which increases the size of a building or adds to the building such as a porch or an attached garage or carport.

Alley: A serviceway providing a secondary public means of access to abutting properties.

Alterations: Construction which may change the structural parts, mechanical equipment or location of openings but which does not increase the size of the building.

Area:

Building Area: The total ground area of each building and accessory building but not including uncovered entrance platforms, terrace and steps.

Floor Area: The total area of all stories or floors finished as living accommodations. This area includes bays and dormers but does not include space in garages or carports or in attics. Measurements are taken to the outside of exterior walls.

Attic: Accessible space between top of uppermost ceiling and underside of roof. Inaccessible spaces are considered structural cavities.

Basement: A space of full story height below the first floor which is not designed or used primarily for year-round living accommodations. Space, partly below grade, which is designed and finished as habitable space is not defined as basement space. See First Story.

Basementless Space (Crawl Space): An unfinished, accessible space below the first floor which is usually less than full story height.

Bearing: That portion of a beam, truss, or other structural member that rests on the supports.

Building Line: A line established by law or agreement usually parallel to the property line, beyond which a structure may not extend. This generally does not apply to uncovered entrance platforms, terraces and steps.

Carport: A roofed space having at least two sides open to the weather, primarily designed or used for motor vehicles.

Crawl Space: Same as Basementless Space.

Driveway: A private way for the use of vehicles and pedestrians.

Dwelling: A building designed or used as the living quarters for one or more families.

Apartment House: A building containing three or more separate living units on one lot and under one ownership.

Detached or Single-Family: A dwelling which is completely surrounded by permanent open spaces and having accommodations for only one family.

Duplex or Two-Family: A dwelling containing two separate living units under one ownership and completely surrounded by permanent open spaces.

Dwelling Unit: See Living Unit.

Easement: A vested or acquired right to use land other than as a tenant, for a specific purpose, such right being held by someone other than the owner who holds title to the land.

Floor: See Story.

Foundation: Construction, below or partly below grade, which provides support for exterior walls or other structural parts of the building.

Garage: A building or enclosure primarily designed or used for motor vehicles.

Attached: A garage having all or part of one or more walls common to the dwelling or to a covered porch attached to the dwelling.

Detached: A garage which is completely surrounded by open space. A garage connected to the dwelling by an uncovered terrace is defined as a detached garage.

Built-in: A garage located within the exterior walls of a dwelling.

Grade; finish: The top surface elevation of lawns, walks, drives, or other improved surfaces after completion of construction or grading operations.

Habitable Room: A space used for living, sleeping, eating or cooking, or combinations thereof, but not including bathrooms, toilet compartments, closets, halls, storage rooms, laundry and utility rooms, basement recreation rooms, and similar spaces.

Joists: A series of floor, roof or ceiling framing members. Members supporting roofs having slopes over 3 in 12 are not defined as roof joists. See Rafter.

Living Unit: A dwelling or portion thereof, providing complete living facilities for one family, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Loads:

Design: Total load which a structure is designed to sustain safely.

Dead: The weight of all permanent construction in a building.

Live: The weight of all moving and variable loads that may be placed on or in a building such as snow, wind, occupancy, etc.

Lot: A parcel of land that is described by reference to a recorded plat or by metes and bounds.

Corner Lot: A lot abutting upon two or more streets at their intersection.

Interior Lot: A lot bounded by a street on one side only.

Double-fronted Lot: An interior lot bounded by a street on front and back.

Lot Coverage: That percentage of the lot area covered by the building area.

Lot Line: A line bounding the lot as described in the title to the property.

Must: Indicates that which is required.

Plat: A map, plan or chart of a city, town, section or subdivision, indicating the location and boundaries of individual properties.

Plot: A parcel of land consisting of one or more lots or portions thereof, which is described by reference to a recorded plat or by metes and bounds.

Property: A lot or plot including all buildings and improvements thereon.

Property Line: A recorded boundary of a plot.

Rafters: A series of roof framing members in roofs having slopes over 3 in 12. Members supporting roofs having slopes 3 in 12 or less are defined as roof joists.

Rehabilitation: The restoration of one or more dwellings to a satisfactorily improved physical condition, and which overcomes the deterioration of a property or properties.

Repair: To restore to a sound and acceptable state of operation, service or appearance.

Replace: To remove an existing item or portion of a system, and to construct or install a new item of similar or improved quality as the existing item when new.

Shall: Indicates that which is required.

Should: Indicates that which is recommended.

Story: That portion of a building between a floor and the next floor above.

First Story (First Floor): The lower most story that has at least half its total floor area designed for and finished as living accommodations. For the purpose of determining this area, the area of halls, closets, and stairs is included. The area of storage, utility or heating rooms or spaces is not included. The location of the first story as defined herein is based upon the use of the space rather than on the location of entrance doors or the finished grade.

Half Story: A story finished as living accommodations located wholly or partly within the roof frame and having a floor area at least half as large as the story below. Space with less than 5 feet clear headroom shall not be considered as floor area.

Top Story: The story between the uppermost floor and the ceiling and roof above.

Street: A public way which affords principal means of vehicular access to properties which abut thereon.

Walls:

Bearing Wall: A wall which supports any vertical load in addition to its own weight.

Common Wall: A wall dividing separate living units on one lot under one ownership.

Double Wall: A frame wall with studs, exterior or interior, which is covered on both sides with generally accepted wall covering materials. Solid masonry walls or frame walls with studs and generally accepted interior wall covering materials and masonry veneer are also considered double walls.

Foundation Wall: A wall, below or partly below grade, providing support for the exterior or other structural parts of a building.

Masonry Wall: A bearing or non-bearing wall of hollow or solid masonry units.

Non-bearing Wall: A wall which supports no vertical load other than its own weight.

Single Wall: A frame wall, exterior or interior, which is of box construction; or a frame wall with studs only one side of which is covered with generally accepted wall covering material.

Veneered Wall: A wall with a masonry face which is attached to but not bonded to the body of the wall.

Yard: The open, unoccupied space on the lot between the property line and the front, rear or side wall of the building.

Front Yard: The yard across the full width of the lot facing the street extending from the front line of the building to the front property line.

Rear Yard: The yard across the full width of the lot opposite the front yard, extending from rear line of building to rear property line.

Side Yard: The yard between the side line of building and the adjacent side property line, extending from the front yard to the rear yard.

CHAPTER II

ACCEPTABILITY CRITERIAGENERAL

These acceptability criteria apply to all existing residential properties.

LOCAL CODES AND REGULATIONS

The minimum standards set forth herein have been established to accomplish certain basic objectives for Urban Renewal rehabilitation purposes and shall not be construed as relieving the property owner or his builder of his responsibility for compliance with local ordinances, codes and regulations.

The Urban Renewal Agency does not assume responsibility for enforcing or determining compliance with city codes or regulations or make interpretations regarding their application in any specific instance.

Where the city code, regulation or requirement permits lower standards than required herein, these Minimum Property Standards shall apply.

SERVICE AND FACILITIES

Each dwelling and each living unit within the dwelling shall contain provisions for each of the following:

- a. A continuing supply of safe potable water.
- b. Sanitary facilities and a safe method of sewage disposal.
- c. Heating adequate for healthful and comfortable living conditions.
- d. Domestic hot water.
- e. Electricity for lighting and for electrical equipment used in the dwelling.
- f. Provisions for the removal of trash and garbage and its sanitary storage pending removal.

ACCESS

Access to the Property

Each property shall be provided with vehicular access to the property by an abutting public street.

Access to Each Living Unit

A means of access to each living unit shall be provided without passing through any other living unit.

Access to Rear Yard

Each building shall be provided with a means of access to the rear yard.

PARTIAL NON-RESIDENTIAL USE

Any non-residential use of the property shall be subordinate to its residential use and character. This non-residential use shall not exceed 25 percent of the total floor area.

DILAPIDATED STRUCTURES

All dilapidated portions of existing properties which are not economically repairable shall be removed.

CHAPTER III

SITE CRITERIA

OBJECTIVE

The individual site under consideration shall be appropriate to the neighborhood in which it is located, and not have characteristics which will induce or perpetuate neighborhood blight or obsolescence.

OPEN SPACE

Every dwelling shall have yard space of such size and so planned as to permit convenient access, adequate light and ventilation of rooms and spaces, reasonable privacy, and the use of the open space for laundry drying, landscaping and outdoor living. The open space may be at the rear, front, or one of the side yard areas.

LOTS

Lot Coverage

The maximum area of residential lots which shall be covered by a building or buildings is given below:

a. Detached dwelling:

- (1) Interior lot coverage - 45 percent
- (2) Corner lot coverage - 50 percent

b. Duplex dwelling:

- (1) Interior lot coverage - 55 percent
- (2) Corner lot coverage - 60 percent

c. Apartment House:

- (1) Lot coverage - 70 percent

The building area includes the total ground area of each building and accessory buildings but does not include the area of uncovered entrance platforms, terraces and steps.

Lot Size

The gross lot area per dwelling unit in each of the following uses shall be not less than:

- | | |
|--------------------------|----------------------------|
| a. Detached ----- | 4000 sq.ft. /dwelling unit |
| b. Duplex ----- | 3500 sq.ft. /dwelling unit |
| c. Apartment house ----- | 2000 sq.ft. /dwelling unit |

Minimum lot width shall be 36.5 feet.

Yards

Yard dimensions shall provide for at least the following:

- a. Front yard, 10 feet.
- b. Side yard, 3 feet.
- c. Rear yard, 5 feet.

The minimum distance between structures shall be 6 feet. There should be adequate light and ventilation for a two story building.

CHAPTER IV

BUILDING PLANNING

OBJECTIVE

To provide each living unit with space necessary to provide suitable living, sleeping, cooking and dining accommodations, storage, laundry and sanitary facilities; also, to provide space of such size and dimensions so as to permit placement of furniture and essential equipment.

SPACE STANDARDS

Minimum Floor Area

Each dwelling unit shall contain a minimum of 400 square feet of gross floor area. Habitable rooms other than kitchens shall be not less than 8 feet wide in at least 80% of the area of the room and this 80% shall contain not less than 70 square feet of floor area. At least one room in every dwelling unit shall have a floor area of not less than 120 square feet. Room dimensions are based upon measurements taken between finished floor, wall, ceiling or partition surfaces.

Ceiling Heights

Habitable Rooms

- a. Average height shall be not less than 7 ft.-6 in.
- b. Floor area with less than 5 ft. clear headroom shall not be included in required room area.

Bathrooms, toilet compartments, utility rooms, halls, etc. - average height shall be not less than 6 ft. - 8 in.

Privacy and Arrangement

A degree of privacy shall be provided commensurate with suitable living conditions by means of the relation of the location of exterior conditions, and by the interior arrangement of rooms.

Access to all parts of a living unit shall be possible without passing through a public hall.

Every water closet, bathtub or shower shall be installed in a bathroom or toilet compartment which will afford privacy to the occupant.

A bathroom shall not be used as a passageway to a habitable room, hall, basement or to the exterior.

The entrance to a bathroom may be through any habitable room or hall but not through a kitchen.

Bath Facilities

Complete bathing facilities shall be provided within each living unit consisting of a water-closet, a tub or shower, and a lavatory. An adequate supply of hot water shall be provided to the tub or shower and lavatory, and cold water to all fixtures. Arrangement of fixtures shall provide for the comfortable use of each fixture and permit at least a 90° door swing. Wall space shall be available for a mirror or medicine cabinet and for towel bars. Bathtub should be not less than 4 ft. 6 in. long, and if a square tub - 4 ft. minimum. Shower if provided, should have a least dimension not less than 30 inches.

Kitchen Facilities

Each living unit shall have independent kitchen space, which contains a sink with counter work space and having hot and cold running water, and adequate space for cooking and refrigeration equipment, and for the storage of cooking utensils.

Laundry Facilities or Spaces

Provide for laundering in either of the following ways:

- a. Laundry washing trays or equipment and space for its use in every building, or
- b. Adequate space within each living unit for laundry washing trays or equipment.

LIGHT AND VENTILATION

Objective

To provide a healthful environment and an acceptable degree of comfort within all rooms of the dwelling by having sufficient light and ventilation, and by the provision of natural ventilation of structural spaces to minimize conditions conducive to decay and deterioration.

Windows, Doors and Screens

Existing windows and doors, including its hardware, shall operate satisfactorily and give evidence of continuing acceptable service.

Screens shall be in suitable condition to serve the intended purpose.

Habitable Rooms

All habitable rooms, except interior rooms, shall have natural light provided by means of windows, glazed doors, or skylights. A glass area of at least 10 percent of the floor area shall be provided for new or remodeled rooms. Existing rooms not disturbed in the rehabilitation shall have a glass area not appreciably below a total of 10 percent of the floor area.

An acceptable means of natural ventilation shall exist or be provided for all habitable spaces, except that for kitchens a mechanical ventilation system may

be substituted. A ventilation area of 4 percent of the floor area of the space shall be provided.

Artificial light shall be provided and so distributed as to assure healthful and sanitary conditions in all rooms.

An interior room not having its own source of natural light and ventilation is acceptable where the room is adjacent to an outside room which has adequate natural light and ventilation.

Kitchens

Artificial light shall be provided and distributed so as to give effective illumination throughout.

Ventilation shall be provided by natural means in amounts as calculated for habitable rooms and not less than 3 sq. ft., or by mechanical ventilation.

Bathrooms and Toilet Compartments

Artificial light shall be provided.

Ventilation shall be provided by natural means in amounts as calculated for habitable rooms and not less than 1 - 1/2 sq. ft., or by mechanical ventilation.

Ventilation of Structural Spaces

Natural ventilation of spaces such as attics and enclosed basementless spaces shall be provided by openings of sufficient size to overcome dampness and to prevent excessive heat.

All exterior ventilation openings should be effectively screened.

DOORS AND ACCESS OPENINGS

Objective

To provide openings adequate in size to admit furniture and equipment to all spaces and to permit inspection for repair and maintenance.

Exterior Doors

Existing doors in sound condition and to remain should approximate in size the following, and the minimum size of new doors installed in new openings shall be:

	<u>Width</u>	<u>Height</u>
a. Main entrance door	3'-0"	6'-6"
b. Service doors	2'-6"	6'-6"

Where new doors are installed in acceptable existing door openings, the doors should approximate the sizes given above.

Exterior doors shall have locks.

Interior Doors

A door must be provided for each opening to a bedroom, bathroom or toilet

compartment.

Existing doors in sound condition and to remain shall approximate in size the following, and minimum size of new doors installed in new openings shall be:

- a. Habitable rooms, 2 ft. 6 in. wide
- b. Bathrooms, toilet compartments and closets other than linen and broom, 2 ft. 0. in. wide
- c. Service stair doors, 2 ft. 6 in. wide
- d. Case openings, 2 ft. 6 in. wide
- e. Height, 6 ft. 6 in.

Where new doors are installed in acceptable existing openings, the doors should approximate the size given above.

Attic and Basementless Spaces

Access to attics shall be provided by means of a scuttle or stairway. For attic and basementless spaces, the minimum access opening shall be 14 x 22 inches and the minimum crawl space shall be 14 inches.

STAIRWAYS

Objective

To assure that all stairways provide safety of ascent and descent, and an arrangement of stairs and landings which have adequate headroom and space for the passage of furniture and equipment.

Existing stairways in sound condition to remain or to be repaired shall not be dangerously or to any serious extent below acceptable standards as to rise and run of steps, headroom obstructions, stair width, landings, or railing protection. Steps should have an 8 inch riser and a 10 inch tread.

EXTERIOR APPURTENANCES

All exterior appurtenances or accessory structures which serve no useful purpose, or those which are not in economically repairable condition, shall be removed. Such structures include porches, terraces, entrance platforms, garages, carports, walls, fences, miscellaneous sheds.

CHAPTER V

FIRE PROTECTION

OBJECTIVE

To assure a high degree of safety to life and property preservation for the dwelling, by the separation of living units and the use of materials which will retard the spread of fire and prevent the passage of flame, smoke and hot gases through open or concealed spaces within the building, and by providing exits which will permit persons to leave the building with safety.

Exits

Each building containing 1, 2, 3 or 4 living units shall have one exit which is

a door or stairway providing unobstructed access directly to the outside of the building at street or grade level. Access to the required exit shall not necessitate passage through another living unit, nor shall any public exitway be subject to locking. In three story structures, exit shall not be by means of a combustibile stairway unless the stairway is enclosed within walls providing a 1 hour fire resistance rating; door openings in stairway enclosures shall be protected by fire doors.

Every below-grade living unit shall have convenient access to the outside of the building at grade level.

Walls, Floor, and Ceiling Construction

Walls, floor or ceiling construction separating living units, or separating a living unit from a public hallway, shall have not less than a 3/4 hr. fire resistance rating.

CHAPTER VI

CONSTRUCTION

OBJECTIVE

To assure that the construction of the dwelling will provide: (a) sufficient structural strength and rigidity, (b) adequate protection from corrosion, decay, insects and other destructive forces, (c) necessary resistance to the elements, (d) reasonable durability and economy of maintenance and (e) acceptable quality of workmanship.

MATERIALS AND PRODUCTS

Materials shall be of a kind and quality which will assure that the dwelling will provide: (a) appropriate structural strength, (b) adequate resistance to weather and moisture, and (c) reasonable durability and economy of maintenance.

STRUCTURAL SOUNDNESS

All structural components of the dwelling shall be in sound condition. Sagging floors, fireplaces, partitions or stairs, and bulging on exterior walls shall be restored as near as practical to their original position; and supported or braced as to prevent a recurrence of these conditions. Individual structural members in a seriously deteriorated condition shall be replaced. Loose jointing of structural members shall be restored to original rigidity.

WALLS

General

Walls shall provide safe and adequate support for all loads upon them. Serious defects shall be repaired and cracks effectively sealed.

Basement and Foundation Walls

Exterior basement and foundation walls or underpinning shall prevent the entrance of water or moisture into a basement or crawl space area. Cracks in the walls

shall be effectively sealed, and loose or defective mortar joints shall be replaced. Where necessary, the exterior face of the walls shall be dampproofed by bituminous coating and cement pargeing.

Double Walls

Where necessary to provide adequate support for all loads upon them, walls and bearing partitions must be of double wall construction. Cracks in single wall partitions must be suitably covered to provide privacy.

Masonry Walls

Masonry walls, either solid or veneer, shall prevent the entrance of water or excessive moisture.

FLOOR CONSTRUCTION

All floor construction components shall provide safe and adequate support for all intended or likely loads and shall eliminate objectionable vibration. However, double flooring is not required.

CHIMNEYS AND VENTS

Chimneys and vents shall be structurally safe, durable, smoketight and capable of withstanding the action of flue gases.

PROTECTION FROM RODENTS, TERMITES AND OTHER INFESTATION

Each dwelling shall be adequately protected against rodents, termites, and other vermin infestation. An existing building found to have defects which will permit the entrance into the structure of rodents, termites or other vermin shall be corrected by appropriate measures.

Preventive Measures

A number of preventive and protective measures against the several forms of infestation are:

- a. Windows or other openings near grade to have snug-fitting screens;
- b. Exterior doors to fit tightly and be flashed at sill;
- c. Openings of pipes or ducts through floors or walls to have tight fitting collars;
- d. Cracks and crevices in foundations and above ground walls effectively sealed by jointing with mortar, and holes filled with materials appropriate to adjacent work;
- e. Provision of curtain wall below grade and supplementary to the foundations;
- f. Locating sidewalks, driveways or other impervious horizontal surfaces flush against the foundation;

- g. Cracked or broken shingles or decayed wood surfaces replaced and joints caulked;
- h. Appropriate soil poisoning treatment adjacent to foundations and within hollow masonry foundations, and treatment of soil in enclosed spaces.

FOUNDATIONS

Each foundation shall be constructed of materials capable of supporting the required loads. For properties that require foundation reinforcing, it will be acceptable to provide additional 6 inch stripped cedar posts on concrete foundation or concrete blocks reinforced with 5/8" rods and with the cores filled with concrete on a concrete foundation. The pier holes should be a minimum of 30 inches deep and should contain adequate concrete footings.

CHAPTER VII

EXTERIOR AND INTERIOR FINISHES

OBJECTIVE

The use of exterior and interior finishes of the dwelling that will prevent the penetration of moisture and extremes of temperature; protect from damage by decay, corrosion, insects and other destructive elements; and provide reasonable durability and economy of maintenance.

ROOF COVERING

All roofs shall have a suitable covering free of holes, cracks or excessively worn surfaces which will prevent the entrance of moisture into the structure and provide reasonable durability.

INTERIOR WALL AND CEILING FINISH

All interior walls and ceilings of rooms and hallways shall provide (a) a suitable base for decorative finish, (b) a waterproof surface in spaces subject to moisture (c) and an absence of cracks or noticeable surface irregularities.

FINISH FLOORS

Finish floors shall be appropriate for the use of the space and provide reasonable durability and economy of maintenance.

Kitchen and Bathroom Floors

Floors in kitchens and bathrooms should be of a durable waterproof non-absorbent material, such as asphalt, vinyl-asbestos, vinyl-plastic, rubber or ceramic tiles, terrazzo or linoleum.

PAINTING AND DECORATION

Where needed, a protective and decorative finish coating shall provide (a) adequate resistance to weathering, (b) protection of finish surfaces from moisture or corrosion, (c) an attractive appearance, and (d) reasonable durability.

CHAPTER VIII

HEATING, PLUMBING AND ELECTRICAL EQUIPMENTOBJECTIVE

To assure that equipment will appropriately meet the needs of the intended occupants and be of a quality and condition which will assure: (a) safety of operation, (b) adequate capacity for its intended use, (c) protection from moisture, corrosion or other destructive elements, (d) reasonable quietness of operation, and (e) reasonable durability and economy of maintenance.

HEATING

Each dwelling shall be provided with a heating facility or individual outlet for space heaters capable of maintaining a temperature of at least 70 degrees F. in all habitable rooms, bath and toilet rooms when the outside temperature is at the design temperature of 20 degrees. All heating devices and equipment shall be in good condition and perform safely.

Appropriate clearances around all room or space heaters shall be provided, and the floor shall be protected in an acceptable manner.

Where space heaters are the sole sources of heat, a sufficient number shall be provided to accomplish the objective. As a guide, the maximum distance between the space heater and the room to be heated through not more than one intervening door should not exceed 23 feet.

WATER HEATING AND STORAGECapacities

Each dwelling, or living unit within a dwelling shall have domestic water heating and storage equipment in serviceable condition supplying hot water in quantities equivalent to the following table:

Number Living Units Served	Storage Capacity in Gallons	Heating Capacity Gal. per hr. 100° F. Rise
1	20	20
2	30	30
3	40	35
4	50	40

Prohibited Locations

No water heater shall be installed in any room used or designed to be used for sleeping purposes. No gas or oil fired water heater shall be located in a clothes closet, under any stairway, or in a confined space with access only to the above locations.

Venting

All fuel burning water heaters shall be connected to a type "B" vent leading to

the exterior.

PLUMBING

General

The plumbing system for each dwelling shall provide satisfactory water supply, drainage, venting and operation of fixtures.

Required Fixtures

For required plumbing fixtures see Chapter IV.

Condition of Existing Plumbing

Plumbing systems including sewers shall operate free of fouling and clogging, and not have cross connections which permit contamination of water supply piping or back-siphonage between fixtures.

ELECTRICAL

General

All habitable rooms and other appropriate spaces in each dwelling shall be provided with electric service by a system of wiring and equipment to safely supply electrical energy for proper illumination and use of appliances or other equipment.

EXISTING WIRING AND EQUIPMENT

Existing wiring and electrical equipment to remain shall be determined to be in good and serviceable condition, and installed so as not to be a potential source of electrical hazard, or ignition of combustible materials. Replacement of existing wiring and equipment shall be made where these conditions are not fulfilled. Existing electrical facilities where considered inadequate shall be increased.

Electrical Outlets

A minimum of one duplex convenience outlet shall be provided in each habitable room in addition to ceiling or other lighting fixture or outlet. Each kitchen, bathroom or utility room should be provided with a ceiling or wall fixture controlled by a wall switch.

"A RESOLUTION APPROVING AN URBAN RENEWAL
PLAN FOR KEALING PROJECT TEXAS R-20, AND
SUBMITTING SUCH PLAN TO THE CITY COUNCIL
OF THE CITY OF AUSTIN

"WHEREAS, the Urban Renewal Agency of the City of Austin has prepared an urban renewal plan for an urban renewal project known as Kealing Project, Tex.R-20, and located within the City of Austin, Texas, and

"WHEREAS, such plan provides an effective means for redeveloping and rehabilitating the Kealing Project Area, and

"WHEREAS, such plan can be put into effect without depriving any person of a decent, safe and sanitary dwelling and without undue hardship upon any family or individual, and

"WHEREAS, such plan conforms to the general plan of the City of Austin as a whole, and

"WHEREAS, such plan will afford maximum opportunity, consistent with the sound needs of the City of Austin as a whole, for the rehabilitation and re-development of the Kealing Project Area by private enterprise; NOW, THEREFORE:

"BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF THE CITY OF AUSTIN:

"1. That the Urban Renewal Plan for the Kealing Project, Tex. R-20, which plan is attached and incorporated herein, be and the same is hereby approved by the Urban Renewal Agency of the City of Austin; and

"2. That such plan is hereby submitted to the City Council of the City of Austin with the recommendation that it be after due hearing thereon, approved.

"On Motion of Commissioner Balagia, seconded by Commissioner Smith, the above and foregoing resolution was passed by the Urban Renewal Agency of the City of Austin by the following votes on April 2, 1963.

"Commissioners voting "Aye": Pearson, Balagia, Chiles, Peterson, Smith.

"Commissioners voting "Nay": None.

"S/ Wesley Pearson
Wesley Pearson, Chairman

"Attest:

S/ L. Wayne Golden
L. Wayne Golden, Secretary"

The Mayor stated this was a forward step, and all would be looking forward to the upgrading of the neighborhood and creation of a real fine project.

Mayor Palmer listed the invitations to the Council as follows:

1. Open House at the Confederate Home for Men Sunday, May 19, 1963, from 2:00 to 5:00 P.M.
2. West Lake Hills Annual Picnic and Town Meeting, Tuesday, May 21, 1963, on West Lake Beach.

The Mayor read a letter from MR. E. ERNEST GOLDSTEIN submitting a petition concerning a study to determine the feasibility of an alternate plan to that which now calls for the use of Horseshoe Bend as a main access road to the Missouri Pacific Boulevard and the new Camp Mabry access road. He read another letter from Mr. Goldstein inviting the Council to visit his street and discuss this matter at the Council's designation and convenience. The Mayor stated Mr. Goldstein could be advised at a later date when it would be convenient for the Council to go out for this visit.

Mayor Palmer read a letter from LOIT and CRAWFORD LAW OFFICES asking for a complete listing of all particulars concerning the number of city employees, their classifications and job titles, pay scales, qualifications and procedures for securing employment. The Mayor asked the City Manager to ask the Assistant City Manager to contact Mr. Crawford to see if it would accomplish his purpose to come in and look at the information.

Councilman Long inquired about the installation of sewer lines to the property of MR. ARTHUR SMITH, 7001 Burnet Road, before the paving went in. The City Manager displayed a map showing the right-of-way in which the line was to be installed and stated Mr. Smith needed to widen the right-of-way of his property, and this was being worked on now, and the line would be in place before the paving would be started.

MR. HORSFALD expressed concern about the encroachment on the south side of Town Lake on Riverside Drive, stating rock is being loaded on the property. He had seen no mention of the Council's ever setting out a boundary of Town Lake. The City Manager explained this had been done some time ago, and the boundaries are agreed upon, and the City is constantly checking to see that there is no encroachment over the line set. Mr. Horsfald stated his interest in the beautification of creeks, and reported a condition in East Bouldin Creek where people were discarding refrigerators, bathtubs, etc., in the creek. The Mayor reported some property lines went to the middle of the creek, and the City had no right to go in on these properties.

The Council recessed until 2:00 P. M.

RECESSED MEETING

2:00 P.M.

At 2:00 P.M. the Council resumed its business. Councilmen Shanks and White were absent.

The City Manager reviewed the stages of the Missouri Pacific Boulevard, stating such boulevard was only a suggestion in 1940; but during 1949-1951 discussions were held with the Missouri Pacific Railroad Company regarding the possibilities of a boulevard. Since January 1, 1961, the Missouri Pacific Railroad Company entered into an agreement with the City making available right-of-way on the outside of its right-of-way from 5th Street north to Hancock Drive. The Railroad Company agreed to participate in five grade separations at \$15,000 each; however it deeded the City a five-acre tract of land next to its Depot west of Lamar which was to represent \$45,000 of the Railroad Company participation. The City Manager displayed on a map of the Master Plan how this boulevard did fit into the Master Plan.

The City Manager discussed an extension of the boulevard southerly to tie into the Fredericksburg Road, and described the State Highway Department's plans to build a west loop beginning at Fredericksburg Road at Ben White Boulevard, crossing Barton Creek, or Lake Austin where it would tie back into Burnet Road northwest of the City. He described a possibility for the City to proceed from 5th Street across the river to tie into that loop where that loop would cross Barton Creek. The portion of the route across private property has already been staked on the ground by the property owners, and they are anxious to make arrangements with the City with reference to that right-of-way. Regardless of when they begin development, they are anxious to have that right-of-way tied down and have the route agreed upon. He outlined the route across the river through Zilker Park on into private property.

MR. W. C. COTTON, JR., Consulting Engineer, was appointed to do a preliminary study of the boulevard project in February, 1961, and was instructed to have proposals ready that could be passed upon from time to time as need of development arose. The engineer was also instructed to design a roadway which would meet Highway Department standards and those of the Bureau of Public Roads, as it was hoped someday to get highway participation in this project because it was thought it could serve as a good link in the highway system. The Study developed and the preliminary plan submitted follow the standards prescribed by the State Highway Department. The City Manager said estimated construction costs would be over \$10,000,000 and cost of right-of-way in addition to that from the Railroad Company would cost over \$2,000,000.

The City Manager explained the design of the intersection for the crossing at the river, stating there were several possible ways of proceeding where the design might be simpler and still serve the same purpose. He described the grade separations--the overpass at Enfield Road; the elaborate interchange for Windsor Road which would go under the Boulevard; the Westover Road underpass which is just about completed; and the West 35th Street crossing which will go over the track and expressway, plans of which are under way and which also include an alternate plan to provide another route to work out a better traffic pattern. These plans are now with the Railroad Company for approval. Other crossings were described; the entrance ramp at 41st Street is not definite, as there may be an alternate route selected. The City Manager stated the next existing roadway across the railroad is Camp Mabry Road, which has never been recognized by the Railroad nor by the City. The City bought property in this vicinity from

Mr. Skinner up to Highland Park West. The rest of the Skinner property will have to be acquired before December 15, 1963, in order to close this portion of Camp Mabry Road.

The City Manager said the next existing roadway across the railroad is at Perry Lane, and the consulting engineer, Mr. Cotton, did not think it would be advisable to construct a grade separation at that point due to terrain, and suggested extending Highland Terrace west across the railroad track to provide a new entrance to Camp Mabry and also to provide a means of crossing the railroad to move into Highland Park West, since it is necessary to close the Camp Mabry Road. His proposal would provide for a new crossing at the 45th Street location and the closing of crossings at Camp Mabry Road and Perry Lane.

The next existing crossing is at Hancock Drive. The City Manager stated Mr. Cotton thought with a crossing at 45th Street and at Northland Drive, it would be unnecessary to put another one at Hancock Drive. The Engineering Department, Traffic Engineer, and he believed it would be necessary to build a grade separation at Hancock Drive, so the whole arrangement would have to be re-done in order to get a crossing in there.

The Missouri Pacific Railroad Company gave right-of-way only to Hancock Drive. The City Manager stated the City already owned the property from Hancock to Northland Drive on the east of the track (Memorial Cemetery property); and on the west side, there is space left by the subdivision of the area for the roadway from Hancock Drive north to the north boundary of Highland Park West; and from there on, the land is undeveloped. Mr. Cotton had developed a plan to provide for a grade separation at Northland Drive, with turnouts and interchanges, and a bridge over the railroad track north of Northland Drive for the north bound lane of the Missouri Pacific Boulevard over the Railroad so that both roadways, north bound and south bound would be on the west side of the roadway from a point on Northland Drive on out to the Burnet Highway. The City Manager explained the development of this plan was influenced by provisions of the contract regarding location of a team track within 1/2 mile north of Northland Drive. In the section north of Northland Drive, the north bound and south bound lanes of the proposed boulevard plus frontage roads plus the proposed team track, result in consuming a very large part of the land between the railroad track and Balcones Drive, and the City Manager said he would discuss this in more detail later on.

The City Manager discussed the roadway extending north across a new roadway lining up with Hart Lane. He said Mr. Cotton thought it would be well to remove the roadway some distance east of the Railroad in order to get it in there and maintain a reasonable grade for Hart Lane. He described the route as it proceeded north after crossing Hart Lane and approached Spicewood Springs Road. From there on, the roadway would follow along Balcones Drive all the way out to Burnet Road. The City Manager said Mr. Cotton thought the property between Balcones Drive and the Railroad would be highly desirable for warehouses, and industrial or commercial uses, since it was flat land and adjacent to the railroad. He thought it would be a mistake to destroy its usefulness by putting the road closer to the railroad track. The effect would be bringing the roadways into some rough terrain where the construction costs would be more expensive and it had been suggested by one property owner that it would be better to move the Boulevard east so the roadway would be on level ground instead of being on a hillside.

The Spicewood Springs Road separation is the last crossing from there on to Burnet Road as proposed by Mr. Cotton's Plan. The City Manager pointed out a

problem there, that Steck Avenue crosses the Railroad and goes into Balcones Drive. He stated this roadway would either have to be closed or another grade separation provided, and he suggested making the separation. The crossing could possibly be relocated farther north so that it would be equidistance from Spice-wood Springs Road to Burnet Road. Since Steck Avenue is already open on the ground and is being used, it might be difficult to close it without providing something else close by.

The City Manager referring back to the Northland Drive area, stated the area north of Northland Drive was consumed with roadways, and that much study had been made of this area. He explained the arrangement with Mr. Bullard in connection with a land purchase by the City, and the agreement whereby the City can pay stipulated sums according to a formula and release part of the tract if it is not needed. Immediately north of the Bullard property is a three acre tract belonging to the Covenant Presbyterian Church. The Church people had already employed an architect to design a building. The boulevard plans would completely wipe out their tract. Contact had been made with Mr. J. E. Motheral who owns the tract immediately north. From that point on, the property is owned or controlled by Mr. David Barrow, and that tract continues on to Hart Lane, and Mr. Barrow agrees that some of the plans need to be revised.

The City Manager said when Mr. Bullard laid out his subdivision north of Northland Drive east of the Railroad track, he had anticipated then that the Mo-Pac Boulevard was going to be extended on the east side, and he had dedicated the right of way for that purpose. He placed provisions in each of the deeds that the property could not have access to that roadway. There would be the same limited access possibility through that section that is in the rest of the area where no one had bought property dependent upon this roadway for access. The City Manager suggested if the north-bound Missouri Pacific Boulevard lane could be continued along that route to the southern edge of the tract which belongs to the City and Gullett School, and then cross the railroad tract opposite the city and school property, the roadway as presently shown could be moved closer to the railroad and thus free a lot of the property from being consumed by roadways on the west side. The City Manager showed a map and pointed out the route. He said this could be developed and still free a lot of the land from the highway itself. To follow this suggested plan, it would be necessary to move the team track (which Mr. Cotton had located within the half-mile distance from Northland Drive as the contract required) to about three-quarters of a mile from Northland Drive. If this could be done, the necessity for the work road would be eliminated. The plan shows a work road, an expressway, another expressway, and then a local road (the distances between being those as prescribed by the Highway standards); and if the team track work road along side the team track can be placed along side the relocated team track, access under the expressway may be obtained by taking the road off of Balcones under those two roadways. The City Manager stated this design was made in the City Hall, and he and his group took the revised suggestions up with the Railroad Company, and the Chief Engineer, Mr. Baker, studied the matter with them. Within the last two weeks the City Manager had received a letter from Mr. Baker agreeing that the new location was suitable so far as the Railroad Company was concerned. The City Manager stated he had discussed with Mr. David Barrow the service roads on the Boulevard in this area to Hart Lane.

The City Manager pointed out on the Hart Lane crossing there were some very steep grades involved at the locations shown by Mr. Cotton. To eliminate the problems there, it had been suggested that the Hart Lane crossing be at a

different location than at Hart Lane, and take advantage of a lower elevation, about 100-200' south of Hart Lane.

Continuing, the City Manager stated an additional tract of land had been acquired on the east side of the track. Mr. Nelson Puett owned a tract of land which he was proposing to subdivide. In order to provide an interchange into the expressway on the other side and to continue to the east with Hart Lane, it was necessary to acquire some land. After the City had worked out some plans with Mr. Puett, he was able to develop all of his land except that which would be needed for this arrangement, and the City acquired from him the necessary land for this, and for right of way on to Shoal Creek.

The City Manager said he had not gone into any detail of any of the crossings, particularly, as each one in itself is a complete study. He noted no serious problems at Westover Road. Before showing the alternate ideas, he reported this was a \$12,000,000 project, and said if there were some way to do something at less cost and still build something suitable and something that would meet the Highway Department requirements, he would certainly want to do it. In some cases the land acquisition would become almost impossible; and in those cases it would be desirable to find alternate routes. He reported a meeting with the people in District 14, Highway Department, to see whether or not this sort of arrangement would work as far as the Highway Department was concerned. On this particular plan all of the standards of the Highway Department on their criteria as far as separation between roadways were concerned had not quite been met, but the plans were reviewed by the Department, and it was stated to them that the City was aware it did not have any agreement to get participation from the Highway Department and it was not known if it would; but if highway participation was ever available, he would not want the Department to say there had not been obtained the necessary right of way. The City Manager explained there was a rapid development of property from Northland Drive to the Burnet Highway, and the City has to come up with some conclusion as to what right of way would be needed. The City wanted to know if this alternate plan would be an acceptable plan from the Highway Department's point of view if they were participating. The Department pointed out some places where it would be necessary to meet the criteria in cases where they failed to meet them, and there has been considerable survey on the ground to develop a new plan that can be submitted to them to see if the right of way limits which can now be shown would be satisfactory to them if they would participate.

Councilman LaRue inquired about the need for this boulevard, and the City Manager pointed out on the map the growth of the City in the area of this proposed boulevard, and stated something similar to what is on the east side should be developed on the west side. The Director of Planning stated a traffic study had been made in 1957, and the forecast was that in 1985 the Missouri Pacific Boulevard would be carrying 50,000 cars a day. It was brought out that the Origin and Destination Survey was under way, and it would be completed within the next few months, and detailed information will be available in regard to forecasting for both the Missouri Pacific Boulevard and the cross streets. The City Manager stated one of the things they had told the Highway Department in an attempt to ask it to participate was that the Interregional Highway Expressway from 19th Street north is already congested, and a great deal of that traffic was coming from the north-west side of town. The City Attorney stated the expenditures for the Origin and Destination Study had been completely justified by the new Highway Act, as, within a very short time, cities over 50,000 population without such a study will not be entitled to receive Federal Funds. Austin is way out ahead by having that behind it.

The City Manager stated Westover Road was a simple structure, involving nothing except separating the railroad from the crossing street. He said it was necessary to complete this crossing, as when the one at Windsor Road is started, it will be necessary to close the cross street for approximately a year or 18 months, and some alternate route would have to be provided, and Westover Road is just about complete. He reported that plans for the grade separation of the railroad track and Windsor Road are being reviewed by the Railroad Company, and it is hoped to let the contract on that soon. All that is proposed now is that the railroad tract be separated from Windsor Road. No study had been made regarding the loops other than a quick study by the Traffic Engineer, and he is somewhat reluctant to make any recommendations until the O & D study is complete. The O & D Study was explained by the City Manager who stated the purpose of the study was to show where people were driving from and where they were going in order to see whether or not the existing streets they were travelling on were the best route for them, or whether or not one that is proposed would actually be used if it were built. He said until that survey were completed, he did not believe they were in a position to advise with certainty with reference to what should be done about many of the turn-outs and interchanges. He explained Mr. Cotton's plans of these interchanges as based on heavy traffic movements. He said as far as the development of the expressway itself was concerned, not much could be done on that until the grade separations were provided; and from then on, unless highway participation is available, the boulevard would probably be constructed in phases. No conclusion had been reached as to what portion would be commenced as the first phase; however, there may be some sections that may be more important for the first developments than the southerly developments. He stated the cross roads and interchanges are all subject to possible change or alternate locations or even elimination depending on the O & D study. The Traffic Engineer had made some study of some of these intersections, and found considerable right of way could be eliminated and a lot of houses left where they are if it were possible to use for entrance and exit roadways some of the existing streets. He displayed on plans, alternate methods of handling practically every one of the interchanges as proposed, which alternates would be much simpler, less expensive, involved acquisition of far less number of houses, and would be something that definitely should be followed if the City were to undertake this construction alone. He said he did not know whether or not the Highway Department would approve each of these alternates as this matter had not been discussed with them. He showed the plan as prepared, and reviewed and explained the alternates as designed by the Traffic Engineer on the crossings at Enfield, Windsor Road, Westover, West 35th Street, (eliminating the 41st Street crossing and making an exit road into Bull Creek Road), at Highland Terrace-45th Street and at Hancock Drive. He said there was a number of possible ways to solve the questions on these interchanges and entrance and exit ways, and information is not yet available as to what need exists for these ramps. It will be a number of years before the total project is complete, as finances will be involved in this. As to the undeveloped land, it will be necessary to make a final determination where the right-of-way will go.

The City Manager stated this report completed the history of this Missouri Pacific Boulevard project, and a summary of where the City stands today. He said he wanted to emphasize the fact that with reference to all the interchanges and turn-outs in particular, there are possible alternates to what had been proposed that could be explored; and whether or not highway participation is obtained may be involved in some of the decisions. The O & D study will be important to many of those decisions; many of them can be delayed, but some should be resolved as

May 16, 1963

quickly as possible. Those are the ones which involve reaching a conclusion as to what is to be done ahead of the development of the property. Generally that would apply to the section north of Northland Drive out to Burnet Highway. Questions would be coming up from time to time as to acquiring certain property. Proper decision can not be made until the O & D Study is complete, but the railroad separations have to be constructed. The Mayor stated the agreement was that the City would either have three grade separations built or under contract within a three-year period of time. Westover is now complete; Windsor Road will be under contract soon, and design work is being done on 35th Street. The Mayor said the City was complying with the agreement. The Mayor stated after this review and study, the City's main concern was from Northland Drive to Highway 183 or Burnet Road, and the City Administration, the Planning Department, the Traffic and Transportation Department and others should determine where the Boulevard is going north of Spicewood Springs Road. If the property owners were ready to develop their land, the City should either be in a position to acquire it or give the property owners the go-ahead signal to develop. He stated he was glad the City Manager had this new arrangement with the Railroad Company as this was the key to a lot of the development; and since this had been resolved just recently, the City could proceed from there on out northerly and determine whether it wanted to stay close to the railroad track or go up into the rugged terrain. He suggested that a determination be made whether these plans would meet the Highway requirements if Highway participation could be obtained, and how much right of way would be needed. Then a center line could be fairly well nailed down so that it would be known what is to be acquired. The Mayor said this was a decision the Council would have to make at the earliest possible date. Councilman Long said the State developed Airport Boulevard and then went out and widened the perimeter and built a bridge, and it would not seem unreasonable to expect the State to participate in this Boulevard. The City Manager reviewed a meeting held with the Highway Engineer, in which it was pointed out this route would connect Burnet Highway with Fredericksburg Road; it would provide an alternate route for the Burnet Highway traffic moving into the Bastrop area, perhaps south to West Loop and Ben White Boulevard and proceeding on out to the Bastrop area; it would provide relief for the Interregional Highway taking away a considerable amount of local traffic which proceeds east to the Interregional to come down in town; and providing a route for the highway traffic which comes in from Burnet to the Expressway on into town. It was pointed out another extension of the Boulevard could be tied into the Dallas Highway. The City Manager stated those were the reasons the City thought there should be highway participation. There should be participation in portions of the boulevard, and he listed the state highways involved and the grade separations. The Mayor outlined what the Missouri Pacific Railroad had contributed to this Boulevard--the right of way, plus \$75,000 for five grade separations, plus moving its communications at its own expense of \$8,000 plus paying for anything over \$17,000 for moving the Hooper Switch. It made a "pre-payment" for three of the grade separations by deeding five acres of land below the Missouri Pacific Station to the City, the land being worth \$45,000, this to be applied on the first three separations. The Mayor said the City's obligation was to have three grade separations under contract or built within three years time and to proceed with due diligence, but there was no definite time limit. The City Attorney reported the Camp Mabry crossing was to be closed by December 15, 1963.

The Mayor thanked the City Manager for this review.

The City Manager reported that the following Zoning applications had been referred to the Planning Commission for recommendation and were set for public hearing before the City Council on June 20, 1963:

CARL T. WIDEN	504-518 Oltorf Street 2319-2351 South 1st Street	From "A" Residence 1st Height & Area To "C" Commercial 1st Height & Area
PASCUAL FIGUEROA By Al Mendez	1141 1/8 - 1141 5/8 Airport Boulevard	From "A" Residence 1st Height & Area To "C-1" Commercial 1st Height & Area
MRS. EVA SEIDERS ESTATE By Rhea B. Merritt	Part 1: 1200-1208 West 38th Street	From "A" Residence 1st Height & Area To "LR" Local Retail 1st Height & Area
	Part 2: 1201-1209 West 39th Street	From "A" Residence 1st Height & Area To "O" Office 1st Height & Area
A. S. BRIENT	8-14 Chicon Street	From "A" Residence 1st Height & Area To "C" Commercial 1st Height & Area
A. E. SCHUTZE By A. G. Ferris	401-407 Sterzing Street 1721-1729 Tumney Road	From "A" Residence 1st Height & Area To "C" Commercial 2nd Height & Area
WILLIAM CARTER By Rollins R. Martin	1149E-1151E Springdale Road	From "A" Residence 1st Height & Area To "B" Residence 1st Height & Area
MRS. EVELYN P. WRIGHT	4808-4810 Interregional By Sterling Sasser, Sr. Highway	From "A" Residence 1st Height & Area To "O" Office 1st Height & Area
JIM SCONCI	3506 East 1st Street	From "D" Industrial 3rd Height & Area To "C-1" Commercial 3rd Height & Area
KENNETH SPIELMAN	5113-5115 Lancaster Ct. 1301-1303 East 52nd St.	From "A" Residence 1st Height & Area To "BB" Residence 1st Height & Area
E. C. THOMAS, ET AL	507 & 601-603 East 56th 5507-5511 & 5512-5514 Evans Avenue	From "A" Residence 1st Height & Area To "C" Commercial 1st Height & Area

MRS. W. H. TAFF By Gene Nauman	1709-1711 (1705) East 1st Street	From "C" Commercial 2nd Height & Area To "C-1" Commercial 2nd Height & Area
NORTH EXPRESSWAY, INC., JAKE JACOBSEN, President	5417 Harmon Avenue	From "A" Residence 1st Height & Area To "B" Residence 1st Height & Area
FRANK DEL CURTO, Owner DONALD L. WEST, Purchaser	Part 1: 2208-2210 DelCurto St.	From "A" Residence 1st Height & Area To "O" Office 1st Height & Area
	Part 2: 2212-2300 DelCurto St.	From "A" Residence 1st Height & Area To "B" Residence 1st Height & Area
ROBERT C. AMMANN, JR. By Isom H. Hale & Associates	8900-8922 North Lamar Boulevard	From Interim "A" Resi- dence & Interim 1st Height & Area and "C" Commercial To "C" Commercial 6th Height & Area
	800-846 Peyton Gin Road	From Interim "A" Resi- dence & Interim 1st Height & Area and "C" Commercial To "C" Commercial 1st Height & Area
C.M.G., INC. By James W. Crow, President	8501-8525 North Inter- regional Highway	From Interim "A" Resi- dence & Interim 1st Height & Area To "C" Commercial 6th Height & Area
CLYDE COPUS	8115-8125 Burnet Road 2302-2320 Teakwood Road	From Interim "A" Resi- dence & Interim 1st Height & Area and "A" Residence 1st Height & Area To "C" Commercial 6th Height & Area
CLYDE COPUS	8207-8215 Burnet Road	From "A" Residence 1st Height & Area To "C-1" Commercial 6th Height & Area

RUBY RAY GILBERT
By Nicholas C. Kohn

1707-1709 West Avenue
707-711 West 18th Street

From "A" Residence 1st
Height & Area
To "B" Residence 2nd
Height & Area

There being no further business, Councilman Long moved that the Council adjourn. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Mayor Palmer
Noes: None
Absent: Councilmen Shanks, White

The Council adjourned at 4:30 P.M. subject to the call of the Mayor.

APPROVED

Luella E. Palmer
Mayor

ATTEST:

Ellen W. Hensley
City Clerk